The Outlook

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The Political Campaign: The Primaries

State primaries and conventions, together with increased activity in the field work of all parties, made last week a notable one in the campaign. The New Jersey primaries present as their most significant feature the smallness of the total vote, which was almost startlingly less than it was in the Presidential primaries of last spring, showing by clear inference the substantial dimensions of the Progressive party of the State, which as a new organization must nominate its candidates by petition, and of course takes no part in primary elections. The Democratic primary vote in the State on the preferential ballot for United States Senator, in which strong interest was felt, was, as the New York "Sun" points out, less than thirty per cent of the vote cast for Woodrow Wilson as Governor two years ago. Small as this vote was, the defeat of the candidacy of James Smith was emphatic—a plurality of between 20,000 and 25,000 in a total vote of some 76,000. This is not only a personal victory for his opponent, Judge William Hughes, but a strong indorsement of Governor Wilson's condemnation of Smith's political character and methods. A singular feature in New Jersey was the election of three avowed Progressives who indorsed Mr. Roosevelt and the principles of the Progressive National platform yet offered themselves as candidates for Congress on the Republican primary tickets. The defeat of the "regular" Republican candidate for Mayor in Newark and the machine disasters in Hudson County are to be added to the evidence of dissatisfaction with the remnant of the great party which last spring recorded its preference for Mr. Roosevelt and the programme of social justice which he represents. In Massachusetts the total primary vote of both parties was less than half the vote for Governor cast in 1911; it was not far below the Presidential preference vote of April, but with this difference, that the Democratic vote rose from about 28,000 in April to about 99,000 in September, while the Republican vote fell from about 172,000 in April to about 97,000 in September—a direct indication that the prevailing immediate interest was as to the re-election of Governor Foss, who received a primary indorsement of about 63,000 as against about 36,000 for his opponent, Mr. Pelletier. The Republicans nominated ex-Speaker Walker by a plurality of 10,000.

Conventions and Speeches

In Connecticut the Progressive Convention was a rousing one. In platform and selection of candidates this convention stood on as high a plane as the New York Syracuse meeting. Herbert Knox Smith, formerly Commissioner of Corporations, as candidate for Governor may be compared for ability and earnestness, if not experience, to Mr. Straus in New York. Equally commendable is the nomination in New Hampshire for Governor by the Progressive Convention of Mr. Winston Churchill, whose fight against political and industrial bossism is notable in the political history of the State. Governor Bass presided at the Convention; one of the strongest features of the occasion, as was also the case in Connecticut, was a stirring, straight-from-the-shoulder speech from Governor Johnson, of California. In fact, all the speeches made by the Progressive candidate for the Vice-Presidency last week in New England were memorable and effective. The New York Republican State Convention at Saratoga nominated Mr. Job E. Hedges, a New York lawyer, as its candidate for Governor, and Mr. James W. Wadsworth, Jr., former Speaker of the Assembly, as its candidate for Lieutenant-Governor. Meanwhile, Mr. Roosevelt in the West and South, and Governor Wilson nearer home, have been talking to many thousands of their fellow-citizens. Mr. Wilson has continued to avow his inability to see

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anything definite in the definite proposals of the Progressive platform as to the trusts and the tariff, holding that to control the trusts as the Inter-State Commerce Commission controls the railways would be to enter into partnership with them, and that, as to the tariff, no beneficial results would follow the Progressives' plan of getting the facts from a genuine Tariff Commission and acting on schedule after schedule as these facts show that the needs of industry, the consumer, and the workman require. But we look in vain in Mr. Wilson's speeches for specific recommendations in either case—in his view neither free trade nor tariff for revenue only meets the case as to the tariff, nor does he advocate the abolition of all large corporations instanter. Moreover, he rejects the help of knowledge acquired by skilled commissions of experts, saying, "I have lived with experts all my life, and I know that experts don't see anything except what is under their microscope—under their eyes." He is even reported to have given his opinion of experts by quoting the saying, "plain liars, damn liars, and experts." This is hard to reconcile with his supposed advocacy of public utility commissions. To all this the Progressive party replies that the people must act, but that they must act rationally, after learning the facts and through agents of trained ability; and that administrative work requires the services of expert administrators. In the South Mr. Roosevelt has been greeted with glowing enthusiasm; in Tennessee in particular his presentation of the Progressive ideas evidently made a deep impression, and the press reports such strength of the new party in that State as to insure a probability of a Progressive victory there in November. The waterways question was used in some of Mr. Roosevelt's Southern speeches as an illustration of the need of combined National action in all large matters instead of the "haphazard and piecemeal fashion of the past," and a practical application was his recommendation that, as soon as the Panama Canal is finished, its plant, the expert knowledge, and the trained engineers there employed should be used to solve the waterway problem.

Catholics and Indian Schools

The decision of President Taft with regard to the wearing of religious insignia or ecclesiastical dress in Government Indian schools can hardly be wholly satisfactory to anybody. Devout Catholics who believe it is a function of government to teach religion will not be satisfied, because the President decides that no teachers will hereafter be engaged in such schools who wear ecclesiastical garb; devout Protestants will not be satisfied, because fifty-one teachers formerly connected with Catholic schools now wearing ecclesiastical dress in the Government schools are permitted to continue the practice; the great body of American citizens, without regard to religious creed, who believe in the complete separation of Church and State will not be satisfied with the President's explanation of what is sectarian and what is not sectarian in Government administration. We briefly review the controversy which has resulted in the decision made public last week by the President. In recent years the Federal Government has taken over from various religious bodies Indian mission schools, and has made these schools Government or public schools by harmonious arrangement with the various churches concerned. Complaint having been made to the Indian Commissioner that sectarian practices were still permitted in some of these Government public schools, the Commissioner, last January, issued the following order:

> In Government schools all insignia of any denomination must be removed from all public rooms, and members of any denomination wearing distinctive garb should leave such garb off while engaged at lay duties as Government employees. If any case exists where such an employee cannot conscientiously do this, he will be given a reasonable time, not to extend, however, beyond the opening of the next school year after the date of this order, to make arrangement for employment elsewhere than in Federal schools.

This action of the Indian Commissioner, Mr. Robert G. Valentine, is supported by two important legal precedents. The Court of Appeals of the State of New York, in the cases of O'Connor *versus* Hendrick, decided that the wearing of ecclesiastical garb in the public schools of the State was sectarian enough to justify the exclusion of such garb; and the Supreme Court of Pennsylvania, in a similar controversy, has upheld the constitutionality of a law excluding ecclesiastical garb from the public schools. It should be remembered that it is possible to teach by means of symbols as well as by words. But on the complaint of the Bureau of Catholic Indian Missions the President revoked Commissioner Valentine's order, and, after a hearing, has now approved the decision of Secretary Fisher, of the Department of the Interior, to

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make the revocation permanent. The argument of Secretary Fisher and of the President may be substantially condensed as follows: There is nothing in the Federal Constitution or Federal statutes to compel the President to exclude sectarian garb from the Indian schools, therefore in permitting it he is violating no law: there are only fifty-one teachers wearing such garb in the Indian schools: the Government ought not to permit this number to grow, and in so far as we can we will take action to prevent its growing: it is true that the Indian schools are public schools and ought not to be sectarianized: the situation is a difficult and delicate one, but we think the simplest thing to do is to let the teachers now wearing ecclesiastical garb remain, as, after all, there are only fifty-one, and let the practice, even if it is not altogether in harmony with American institutions, die of its own accord. We think Commissioner Valentine was right and that the President is wrong. It would be much better to turn all Indian schools over to private management, letting the Catholic Indians go to Catholic schools and the Protestant Indians to Protestant schools, than to involve the public school system of the United States in any kind of a controversy over what we hope is the irrevocably established policy of a complete separation of Church and State in this country.

President Taft and the Cost of Government

The American Government is the only one of first rank which offers to the public no budget, or proper statement of Governmental income and Governmental expenses. Congress makes appropriations for our Government's expenses. These appropriations are based on estimates submitted by the various departments under a law which makes no provision for executive review. Of course without this review the estimates become grossly inflated. Such a method is, as President Taft says, both "haphazard and wasteful." He adds: "Authority is granted for the expenditure of a billion dollars each year, without any thought as to where the money is coming from. This is done on the theory that there will be no deficit. . . . While the Constitution makes Congress responsible for money-raising as well as for appropriations, responsibility for borrowing has been shifted to the President, by empowering him to procure loans to meet deficits!" No wonder that our Presidents have become restive under this method. Some time ago Mr. Taft sought to correct it by directing the heads of departments to send their estimates to him before they were printed, so that a certain uniformity or standard might be exercised over all of them. This order reduced the initial estimates by millions of dollars. A part of the work of the recently instituted Economy and Efficiency Commission is to summarize such statements, and so to co-ordinate them as to bring about a statement of coming necessary expenses which will not exceed the balance in the Treasury. Such a reform has, of course, blocked the schemes of those who would profit by the wasteful diversion of public moneys. Hence, in the appropriation bills passed at the close of the late session of Congress, the Economy and Efficiency Commission was ruthlessly "trimmed." One bill reduced the salaries of the members of the Commission, while in another bill a paragraph slipped in at the last moment provides that "the regular annual estimates of appropriations and expenses of the Government shall be prepared and submitted to Congress by those charged with the duty of such preparation and submission, only in the forms as at the time are required by law, and in no other form and at no other time." Despite this, the President still plans to send his recommendations to Congress in budget form. He has now directed all the department heads to appoint representatives to confer with the Economy and Efficiency Commission. Indeed, in his opinion, Congress cannot prevent a President from submitting a budget. "It is quite within his duty and power to have prepared, and to submit to Congress and to the country, a statement of resources, obligations, revenues, expenditures, and estimates, in the form he deems advisable. And this power I propose to exercise." The President's position in this is courageous and wise.

President Taft and the Spoils System

Closely following the President's lettter to the heads of departments comes another welcome announcement. It is that all of our fourth-class postmasters are to be taken out of the "spoils system." In other words, they are to be taken out of the old order of things when an appointee owed his position to the influence of some powerful politician—to some "boss" acting by means of a Senator's influence with the President,

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if, indeed, the boss and the Senator were not one person. They will henceforth owe their positions, as all under our civil service rules owe theirs, to their own merit in competition with other candidates. Four years ago, by executive order, President Roosevelt placed under civil service rules the fourth-class postmasters of the States north of the Ohio and east of the Mississippi Rivers, a total of nearly fourteen thousand. Those still outside of civil service rules numbered over thirty-six thousand. These are now included by President Taft. The reason for the geographical selection in the Roosevelt order was to make the experiment in the more densely populated States. The new order of things has worked well. It appealed to some twenty thousand fourth-class postmasters in the States south of the Ohio and west of the Mississippi, and they recently signed a petition to be transferred to the merit system. They were already assured of the President's approval, for he had put himself on record as advocating the inclusion in that system not only of the fourth-class postmasters but of all postmasters, and not only of all postmasters but of all other Federal officials—collectors of customs, collectors of internal revenue, naval customs officers, surveyors, assayers, receivers, and public land agents. Of course Mr. Taft would have added the first, second, and third class of postmasters to this list if he had authority over them. Legislation by Congress is required to place them under the civil service rules. In spite of the partisan motive that will be attributed to this act, it is to be welcomed. Since the Civil Service Act was passed it has been a pleasant task for The Outlook to chronicle the various events which have occurred in redeeming Governmental agents from the spoils system. The most recent event is appropriately due to a President who believes that *all* Government officers below the grade of Cabinet members should be removed from political influence and placed under the competitive system.

The Secretary of War: A Victim of Fake Journalism

The friends of both Mr. Stimson, the Secretary of War, and Mr. Roosevelt were disturbed by an alleged interview with Mr. Stimson which appeared very widely in the daily press about two or three weeks ago. In this alleged interview Secretary Stimson was not only made to take issue with Mr. Roosevelt's political principles and platform, which of course he had a perfect right to do, but was made to use phraseology in severe personal criticism of Mr. Roosevelt, which the friends of the two men, who knew their former personal relations, greatly regretted. The interview, however, was so specific, and the office of the Secretary of War commands such respect, that it seemed incredible that any decent American newspaper could deliberately lie in such a matter. But the interview was "faked," as will be seen from the following letter which we have received from Mr. Stimson. The letter is dated San Francisco, September 19:

> I should like you to know that the alleged interview with me reported about two weeks ago in one of the San Francisco papers making a personal attack on Mr. Roosevelt is entirely unfounded. The words of personal criticism of Mr. Roosevelt put into my mouth in that interview were never uttered or thought by me, although I am strongly opposed to his candidacy. As soon as the interview was published I repudiated it through the Associated Press, but I find now, on my return from a trip to the Yosemite, that, notwithstanding this, it has found its way into Eastern papers through other channels. I should be glad to have my friends know that it is unfounded.

We welcome the opportunity to print this letter, first, because we desire to aid in the correction of what was a very grave injustice to the Secretary of War, and, second, because it gives us the occasion to repeat the warning often made in these pages that too large a number of American daily newspapers are wholly irresponsible and unreliable. In this case we think, too, that the Associated Press is greatly to blame. That organization disseminated throughout the country the false report of which the Secretary of War justly complained, and, so far as we can discover, did very little to correct the error after attention was called to it.

Ulster and Home Rule

Home Rule in Ireland, now regarded as near its passage by the House of Commons, has entered upon a turbulent period in its history, as everything which relates to Ireland does, sooner or later. A very serious and menacing opposition has been growing in Ireland itself. Ulster, the northernmost of the four counties which constitute Ireland, is the home of nearly one million six hundred thousand people out of a total population of nearly four million four hundred thousand in the island. The differences between the men of

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Ulster and the men in the South are much greater than between the men of Piedmont and Lombardy and the men of Naples and of Sicily; and the feeling of antagonism is more intense than the feeling that formerly separated the two extremes of Italy. It is not only political, it is religious and racial. Ulster is aggressively Protestant, the rest of Ireland is Catholic. Ulster is mostly industrial; the rest of Ireland is mostly agricultural. Ulster represents a large infusion of Scotch blood. For many months past Ulster has been protesting that it would not submit to the rule of an Irish Parliament. It has now definitely taken its position that the British Parliament has no right to transfer the allegiance of Ulster from Great Britain to Ireland, and that if the transfer is made Ulster will resist. This feeling has taken many aggressive forms of late, and it has been intensified by a very unpatriotic attitude on the part of some of the Unionist leaders, chief among them Mr. Bonar Law, the Conservative leader, who has used the Ulster feeling as a weapon against the present Liberal Government, and has gone to the very verge, if not over the verge, of justifying the rebellion of Ulster in case the Home Rule Bill is passed. It is to be hoped that calmer counsels will prevail, and that the impossibility of the independence of one county of Ireland as against the rest of that country will be recognized. Ulstermen have a right to demand adequate guarantees under any change of government, but the endeavor to detach the county from the island and make it an independent State would seem to be as impossible as were some of the early fantastic attempts at secession in this country.

Chinese Finances

As is well known, the Chinese Republic is in need of funds. Soldiers must be disbanded and paid and other extraordinary expenses met. But even the ordinary "running expenses" of the Government would be sufficient to demand additional cash resources. Accordingly, last February the Government appealed to four Powers with which it had in the past contracted loans—Great Britain, France, Germany, and America. To these were added later Russia and Japan. These six Powers are the ones chiefly interested in China. They agreed to lend enough money to put the Chinese Government on a sufficiently substantial footing to "start in business" with a clean slate. To this end about three hundred million dollars would be needed. The Powers agreed to lend this amount provided the Chinese Government agreed to certain reported conditions:

1. The purposes for which the funds were required should be stated by the Chinese and approved by the Powers.
2. The Government should adopt an audit system to insure the effective expenditure of the loan for the purposes specified.
3. The salt taxes, agreed upon as a guarantee for the loan, should be administered either by the existing Maritime Customs Organization or by a separate service under foreign protection, thus safeguarding the proper administration of the security.
4. The Chinese Government should not borrow elsewhere until the loan was entirely issued.

At first everything seemed favorable for the conclusion of this six Power loan. But with the advent of the new Government, and the strong sense of nationality which naturally thrilled the Chinese people, a reaction took place. It was felt that, at the very outset of its career, the new Government was being considered not as an equal with the other Powers but rather as their ward. Certain independent financiers, especially in Belgium, took advantage of this and attempted, without demanding such guarantees, to float a small loan with the Chinese Government. Now another independent loan, it is reported, has actually been floated, the moving powers behind which are not yet disclosed. Such a loan would doubtless gratify the Chinese as a demonstration of their financial independence. It would also be regarded by them as indicating a policy of independence in other respects. Now, in its efforts, not only to establish a better government for China, but also to make China occupy a larger place in the world's interests, the new Government has the sympathy of Progressives everywhere. But as unwise and extravagant expenditure has distinguished the native administration of Chinese finances, would not the new Government be acting in its own interest to agree to protect its creditors and itself? Perhaps some plan satisfactory to the lenders and consistent with China's self-respect can be devised.

Dr. Morrison on China

As The Outlook recently stated, Dr. George Ernest Morrison, for fifteen years the correspondent of the London "Times" in China, has been appointed political adviser to the new Chinese Government,

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and has accepted the appointment. Long recognized as an authority on China, Dr. Morrison's first published statement after assuming his new office will be read with peculiar interest. It is a protest against the suspicions of some concerning the new Republic. First, as to the frequent statement that China is likely to split in half and that there will be civil war between south and north, Dr. Morrison inquires, "Where is the line of cleavage? Both parts of China are equally republican." Second, those who allege that "President Yuan Shi-kai is aiming at a dictatorship are ignoring the facts of his career." Third, as to the charge that the President's Advisory Council is composed of hostile factions whose quarrels threaten the continuance of the Republic, Dr. Morrison declares: "Nothing could be more misleading. These parties differ in their programmes as political parties do in all countries, but all are equally republican." Fourth, "it is held to be a reproach and a danger that the new men now active in the Government of China are without experience." Dr. Morrison contrasts these new men with the "corrupt princes and degraded eunuchs" who were in power under the Manchu monarchy. The new men are "men of Western training and modern culture. . . . Had such men had a voice in the Government . . . would the position in Manchuria be what it is to-day? Would China have been involved in the Boxer rebellion? Contrast the treatment of foreigners during this widespread rebellion [of 1912], when foreign life and property were held sacred throughout the twenty-two provinces, with the conditions in China during the Boxer rebellion, when the Throne itself offered money rewards for the heads of foreign men, women, and children. The members of the Cabinet and of the Advisory Council may be inexperienced men, but certainly no body of men who have held rule before in China can be compared with them in intelligence, training, and education." Finally:

> People in England hardly realize the immense change that has had to take place in the administration of the country. Under the old régime no man could hold office in the province of his birth. Now the reverse rule is observed. Most officials in the provinces are now natives of the provinces in which they are serving. Surely the interests of the province are thus better served than under the old system, when officials sent to provinces to which they were not bound by ties of birth had as their main object the amassing of the largest fortune in the shortest time, bleeding the province in the interests of the corrupt Manchu Government in Peking, to whom they owed their office. . . . These changes have involved the recasting of the whole internal machinery of Government.

That the changes have been effected with such comparative smoothness should, we agree with Dr. Morrison, inspire hope in the future of the country.

A Plea for Lake Windermere

There are few places in the world where mountain and water combine so perfectly in perpetual but always changing beauty as they do in the Lake Country of England. There are still fewer places where such peaceful beauty of lake and highland combine to form a setting for literary associations as in this same English Lake Country of Wordsworth. If ownership in real but intangible value is vested in those who know how to appreciate it, this Lake Country is surely a part of the heritage of Americans as well as of Britons. Those Americans, therefore—and there are thousands of them—who have a proprietary right in the beauty and associations of that region will be concerned to know that their property is in some peril, and they will be gratified to know that there is under way an effort to protect it. The peril is to the head of Lake Windermere. The owner of a tract of land there has planned to build a number of "villa residences." The plan to save the lake from this disfigurement—for any buildings there would disfigure the lake—involves the purchase of this strip of land. The owner is not only willing to sell the property, but is ready to contribute, with the consent of his brother, two thousand dollars toward the purchase fund. That is enough to show that he is a sharer in the ownership of the real values in that spot and is a comrade of those who wish to preserve this lake. The Rev. H. D. Rawnsley, Canon of Carlisle, poet and essayist, and Hon. Secretary of the National Trust for Places of Historic Interest and Natural Beauty, in a statement which we have received from him, accompanied by a letter, tells what a great many people may not know, that in the midst of this strip "lie the remains of an important Roman military camp which was spoken of in Camden's 'Britannia' as 'the carcass, if I may so say, of an ancient city, with large ruins or walls, the rubbish of old buildings in many places.'" And he adds:

> What Camden saw in 1590, and what Thomas Braithwaite knew when he was collecting coins

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from the ruins in Queen Elizabeth's days, is now a grass field in which the fosse and rampart of Borrans Ring, as it is called, is still distinguishable.

But no excavation has taken place there, and though in the adjacent nursery garden great quantities of Roman pottery and tiles have been found from twelve to eighteen inches below the surface, with the remains of fires, charred oak and bones, the secret of this Roman fortress camp is still hidden close within its grassy bosom. . . .

To the archæologist it is a matter of no small moment that an as yet unexcavated Roman camp should pass into public hands; and when we consider the stream of tourists who pass to Waterhead and Ambleside during each of the summer months, it is clear that their temporary stay at Waterhead, as they wait for the boat, or their sojourn in the town, will have great additional interest added to it by the fact of their being able with their own eyes to see the remains of Roman life here at the head of the lake.

In indorsement of this undertaking there has come to The Outlook the following letter which will be of special interest to all Americans:

August 23, 1912.

Dear Sir:

I have read with great interest, as I am sure all lovers of Wordsworth and of the Wordsworth country must also have learned, of the danger that the head of beautiful Lake Windermere may be injured, and I take the liberty of sending you this line to express my warm sympathy with the project of raising a fund to prevent the region from suffering any such substraction from its exquisite charm. All lovers of the English poet must wish to preserve the Wordsworth country intact.

Sincerely yours,
WOODROW WILSON.

To the Editor, The Outlook,
New York City.

Canon Rawnsley, whose address is Crosthwaite Vicarage, Keswick, England, in the course of his letter writes to us: "Incidentally I may mention that £100 has just come to me in honored memory of the late Holman Hunt, O.M. It is possible that there may be in the States those who, in memory of their beloved ones who were known to care for our English scenery and who have passed away, will wish to follow this example and send a contribution to the national work of preserving for posterity the loveliness of the English Lakeland."

Arctic Discoveries

It is a pity that the serious work done by Professor Stefansson's party in the Arctic was so ludicrously treated by newspaper writers that at first its real significance was hardly appreciated. Absurd talk about the "lost tribes of Israel" and the discovery of Eskimos descended from Sir John Franklin's crew, or descended directly from Leif Ericsson, certainly had a tendency to make sober readers laugh at the reports. In point of fact, Professor Stefansson is a serious and careful observer: and the narrative printed over his signature recently in the New York "Sun" affords no excuse for the absurd stories of his expedition to which we have alluded. He has now returned to New York City and to his work in connection with the American Museum of Natural History, after an absence of more than four years employed in exploration. The expedition was sent out jointly by the American Museum of Natural History and the Canadian Government's Geological Survey: and it had as its object the examination of little-known regions on the northeastern boundary of Alaska. It is true that the most interesting object, among several, was the discovery of tribes of Eskimos unknown to white men, whose existence has long been rumored. The expedition followed the Mackenzie River from above Edmonton, in Canada, to the edge of the Arctic Ocean, and thence explored both westward and eastward. A great part of the region traversed had very little in it to sustain life, and this accounts for its avoidance by most of the known Eskimos. The explorers persisted in pressing through this region, and on the coast opposite Victoria Island they found several tribes who were undoubtedly different from any known people of the north. As they are described by Professor Stefansson, it would appear extremely probable that they are, in part at least, of Scandinavian descent: and a few of them had unmistakable traits, such as blue eyes and light hair, which showed European racial connection. Professor Stefansson's explanation of the existence of such a race of people is that the Norse colonists, known to exist in Greenland and supposed to have been exterminated by hostile Eskimos long ago, were only partially destroyed, and that a large portion of them escaped and mingled with the Eskimos of Victoria Land. This theory Professor Stefansson puts forward only as the most probable one. Besides the curious ethnological discovery which has attracted so much attention, it should be noted that this expedition has resulted in added knowledge in the field of zoölogy and archæology, as well as in geographical records of some importance.

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Pierre Loti: Impressionist

Louis Marie Julien Viaud, widely known under his nom de plume "Pierre Loti," who is now visiting this country, is a Frenchman of Huguenot ancestry, who entered the French marine service in 1867, visited many parts of the world, and resigned with a rank of lieutenant fourteen years ago. The following year he published his first novel, "Aziyadé." This story has been followed by many others in which the distinguishing feature has been the description of landscape steeped in its own atmosphere. In this way Pierre Loti has pictured Constantinople, Tahiti, Senegal, Brittany, Iceland, Algeria, Japan, India, Palestine. His heroines are all primitive women who represent the native and largely the physical qualities of their race before its modification by modern cosmopolitanism. Pierre Loti is perhaps the most cosmopolitan of writers; but his whole endeavor has been to get away from cosmopolitanism and recreate primitive conditions. His work recalls Flaubert and Lamartine, but he lacks the vigor of the novelist and the poetic quality of the author of "Souvenirs" of the East. His stories best known in America are "Madame Chrysanthème" and "The Iceland Fisherman," the latter a charming piece of atmospheric work, a tender and beautiful picture of the mystery and wonder of the sea and of the tragedy of the people who live by it and upon it. With the possible exception of Lafcadio Hearn, a man of greater penetration and grasp, Pierre Loti is the foremost impressionist of the day. This means that he paints with a sensitive and delicate brush the appearance of things. His work has no rootage in any soil. It is wholly lacking in ethical constructiveness; it floats on light wing over the deeps of life; its meaning lies on the surface as completely as his interpretation of different countries lies on the surface. His diction is remarkable for its descriptive quality; and he has the gift of steeping his stories in elusive melancholy—a melancholy which comes from the passing of older and more picturesque habits, with an entire absence of any sense of the profounder meaning of life. It follows, as a matter of course, that his work is at times offensively sensuous. He is a member of the French Academy. He seems to have received an unusual number of impressions immediately on his arrival in this country; but he ought not to be held responsible for the varying newspaper reports of his moods and views.

A National Capital Made to Order

Australia is to follow America in having a made-to-order, carefully planned capital in a federal district, and comes to this country for the plans. The Australian Constitution, adopted in 1900 by the Federation, provided for a new capital city, separate and distinct from any of the present cities of the several colonies, on a site to be selected within ten years. Early last year the engineers finally selected a locality in the federal district of some nine hundred square miles which the Parliament had cut out of New South Wales. A competition was then formulated under the auspices of the Department of Home Affairs, and invitations and information data sent to all parts of the world calling for ground plans for the proposed city, and such other descriptive and suggestive matter as competitors might include to convey an idea of the scheme for a city, including Capitol, university, military post, other public institutional buildings, and all the necessary structures to take care of the capital municipality, its industries and habitation. Walter Burley Griffin, of Chicago, won this competition, which was world-wide in its scope, and receives a prize of £1,750 ($8,750). He sent ground plans of the central part of the city proper, four miles square, drawings on contour maps provided by the Australian Government; smaller scale plans showing anticipated suburban extensions and the related features of the environment; sectional cuts in two directions through the city showing the elevation at very small scale of public and other buildings, and a perspective view from the top of one of the local mountains of the entire plan. The district is described as being especially favored in physical features. A river runs through the proposed site for the capital, lending itself to decorative effects. The district contains many mountain peaks of moderate height, some covered with perpetual snow. Two peaks of 6,230 and 5,290 feet elevation, respectively, give a background for the monumental government buildings. Lower mountains border closely the site of the new city, so that they may be used as city parks. Still lower hills offer sites for the important buildings. A great circle on the south bank of the river has been selected for the Government buildings. The river is

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to be widened into a lake immediately in front of this site, and on the other side there will be elaborate gardens. On another axis of the Government building site is the municipal center, and further away a manufacturing section with a center of its own. It is as though the Government group were the hub, with the other centers located on the radiating spokes at irregular distances from the hub. There is a university center, a market center, a railway center, a residential section. About each of these centers is planned a system of streets all its own, grouped about in polygons.

THE PROGRESSIVE MOVEMENT

IV—THE TARIFF

In a rural town not a hundred miles from New York City there was, thirty years ago, an abandoned woolen mill. Clustered about it were a dozen empty cottages. No one worked in the mill; no one lived in the cottages. The place was known as "the deserted village," and summer boarders were accustomed to visit it, as the one curiosity in the vicinity. Some English capitalists have bought the mill and established a successful carpet factory which employs five or six hundred men and women. The empty cottages are filled. More than a hundred new cottages have been built. The road, more than a mile in length, from the deserted village to the neighboring village is lined with attractive homes. In the now united villages, which have become practically one village, a local real estate company has been formed to erect cottages for newcomers, and it is difficult to build them fast enough. A local bank has been established. A new schoolhouse has been built, and already the people are beginning to question whether it will not all have to be used for primary and grammar school grades and another be built for high school purposes. One church, which had been standing empty, has been reopened: in another church, where formerly the Sunday-school had possibly twoscore of scholars, the Sunday-school room is crowded. The village stores do a thriving business. A Village Improvement Society has bought an old house with Revolutionary memories and converted it into a social center. A Boys' Scout movement has been initiated. There is no phase of town life which does not show improvement. And this improvement is, not exclusively, but chiefly, due to two causes:

The advent of the carpet mill;

And the simultaneous exclusion of saloons from the town, under a local option law.

The advent of the mill has brought a new market to the butcher, and baker, and grocer, and shoemaker, and tailor—to all that have goods to sell; and the exclusion of the saloon has prevented the money that is now contributing to the general wealth of the community from going where it would contribute to general poverty.

A large proportion of these five or six hundred employees have come to C—— from England and Scotland. They have come because the English capitalists could not import the carpets if they were woven in England without paying America for the privilege of importing them, and they could import the carpet weavers. The workers' families have come with them. They have to be housed, hence the cottages; to be fed, hence the trade for the grocer and butcher and chicken farmer; to be clothed, hence the business of the tailor; their children are to be educated, hence the new school-house; they worship, hence the added prosperity of the churches. It is true that the price of living has increased since the carpet factory came to C——. The villagers pay more for their meats and houses and clothing and rent. There is a good deal of complaint because of the high cost of living. But it would be difficult to find any number of villagers who would wish to go back to the lessened population, the diminished trade, and the smaller schoolhouse, even if these were accompanied with the lower prices of twenty-five years ago.

The object of a protective tariff is to do for the United States what it has done for the town of C——. It creates a diversified industry and brings the producer and the consumer together. Mr. Wilson, in a speech to the farmers, has told them that they get no benefit from the tariff, because America does not import farm products, and therefore the farmer does not need to be protected from foreign competitors. But the benefit to the farmer does not come from the exclusion of foreign competitors. It comes from the fact that the purchasers for his products are brought to his door, and he has not to pay for transportation of his products across the ocean in order to find a purchaser.

Enterprising towns recognize this principle. It is not uncommon for a town to offer to

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capitalists a site for their factory free of expense; sometimes the people add a bonus or subscribe for stock, in order to secure for their goods the customers that the factory will bring to the place.

The history of C—— has been repeated all over the United States. The tariff has developed manufactures: the manufacturers have brought an immigrant population; the immigrant population are customers for the farmers and the shopkeepers. If the United States had remained the purely agricultural country that it was a hundred years ago, Americans would be bringing their manufactured articles from abroad and selling their agricultural products to consumers abroad, and the price of transportation across the ocean would have to be added to the price paid by the purchaser or taken from the price received by the producer; or the cost of transportation would have to be divided between the two. The transformation of America from a nation dependent on other nations for its active products into an independent nation developing within itself all the resources necessary for its welfare is not wholly due to the protective system; but this transformation could not have been accomplished without the protective system.

Carelessness in some quarters and corruption in others have produced serious abuses in the tariff. The question as now presented to the American people is this: Shall we abolish the system altogether? Or can we correct the abuses and retain the system?

Three plans for dealing with the tariff are presented to the American people by the three parties.

The Democratic party proposes to abolish the protective system altogether. It even declares that Congress never had the right to establish a protective system. It says:

"*We declare it to be a fundamental principle of the Democratic party that the Federal Government under the Constitution has no right or power to impose or collect tariff duties, except for the purposes of revenue.*"

This position Governor Wilson indorses. He says in his speech of acceptance: "Our one clear conviction as Democrats is that in the last analysis the only safe and legitimate object of tariff, as of taxes of every other kind, is to raise revenue for the support of the Government."

This principle would not only forbid Congress from taking into consideration the effect of the tariff in promoting or hindering industrial development of the country, it would have forbidden the Federal Government from such action as taxing the State banks in order to promote a National bank currency, and imposing a high tax on a poisonous form of sulphur in order to protect the workers in match factories against disease.

The Republican party proposes to retain the protective system: and to prevent favoritism by basing all revision on the report of an expert and non-partisan commission. It also declares its purpose to be "to protect adequately American industries and wages." But it proposes no plan for securing the benefit of protection to the wage-earner, and recent events have made it very clear that in some of the most highly protected industries the wage-earner is getting wholly inadequate wages. On this subject, in his speech of acceptance, Mr. Taft is also ominously silent.

The Progressive party agrees with the Republican party in favoring (1) a protective tariff: (2) based on reports from a non-partisan scientific tariff commission. But it differs from the Republican platform in condemning the Payne-Aldrich Bill, which Mr. Taft approves: in demanding "an immediate downward revision of those schedules wherever duties are shown to be unjust or excessive," which the Republican platform, though recommending the reduction "from time to time" of some import duties, does not demand: and in emphasizing the necessity of clearly defined measures to make the protective system protect both the wage-earner and the consumer. This it is proposed to accomplish through a permanent tariff commission with large power of investigation, following, in some respects, the example set by the German Tariff Commission. The platform of the Progressive party says:

"*Primarily the benefit of any tariff should be disclosed in the pay envelope of the laborer. We declare that no industry deserves protection which is unjust to labor, or which is operating in violation of labor laws. We believe that the presumption is always in favor of the consuming public.*"

And this declaration was founded on Mr. Roosevelt's declaration in his speech preceding the enunciation of the platform: "In my opinion, the American people favor the principle of a protective tariff, but they desire such tariff established primarily in the interest of the wage-worker and the consumer."

The reader who desires to get a clear, concise, and authoritative interpretation of the

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difference between the Democratic and the Progressive parties on the tariff question will get it by comparing the paragraphs italicized above, one quoted from the Democratic, the other from the Progressive, platform. The difference may be concisely but unauthoritatively defined as follows:

Democratic party. Abolish the protective system. Throw the American market open to the world. Make a tariff simply to raise money.

Republican party. Retain the protective system. Keep the American market for the American producer. And trust to natural law to secure a just division of the common benefit between the capitalist, the wage-earner, and the consumer.

Progressive party. Retain the protective system: but immediately reduce the present tariff. Keep the American market for the American producer; and take appropriate measures to divide the profit justly between the three parties who should be benefited by it, with a presumption always in favor of the consuming public.

On the tariff question, thus stated, the principles and sympathies of The Outlook are with those of the Progressive party.

THE PANAMA CANAL ACT: IS IT DISHONORABLE?

Last August, before the passage by Congress of the Panama Canal Act, we stated what we believe to be the duties of the United States with regard to the administration of the Panama Canal in the following language:

This Nation should regard itself as a trustee for the benefit of the entire world in its operation of the Panama Canal.

It should not attempt to make a profit out of tolls, and at least a part of the maintenance cost of the Canal should be paid out of the funds of general taxation.

Toll rates should be uniform to all nations, and there should be no discrimination in favor of American ships. An American steamship carrying goods from New York to Tokyo should pay exactly the same toll rate as an English ship carrying goods from Liverpool to Tokyo pays.

If foreign nations endeavor to discriminate in favor of their ships by granting subsidies or by remitting tolls, the President of the United States should be authorized to impose a maximum rate of toll upon the ships of such a nation—instead of a minimum rate fixed for all nations agreeing to abide by the principle of non-discrimination. This will be following the principle upon which the President is given discretion to impose a maximum tariff on those nations which unfairly discriminate against the United States.

American vessels engaged in the coastwise trade may pass through the Canal free without violating the non-discrimination clause, because now no foreign vessels are allowed to engage in trade between American ports.

Canadian vessels voyaging between an Atlantic port in Canada and a Pacific port in Canada or *vice versa*, and American vessels passing between such ports, ought to be regarded as engaged in foreign commerce.

There should be no attempt to discriminate between owners of vessels. Any man or any organization of men who own ships should have common rights with others in using the Canal. Therefore legislation against railway-owned ships would be discrimination. If railway-owned ships are a bad thing for the country, which we do not believe, forbid directly the railways to own them. Do not try to prevent such ownership indirectly by using the Panama Canal as a club.

European critics, chiefly in Great Britain, and Canadian critics, some of whom have sent their personal protests to The Outlook, assert that the Panama Canal Act violates one of the principles outlined above to such an extent as to make the Act an Act of Dishonor. In other words, they assert that in exempting American coastwise vessels from tolls the Government of the United States is grossly discriminating against foreign nations, and therefore violating its solemn treaty.

On the contrary, we assert that the exemption of coastwise vessels from tolls is not a discrimination against foreign nations, since foreign nations cannot engage in any way, shape, or manner in American coastwise trade. We further assert that when an endeavor was made in the American Congress to exempt American foreign commerce as well as American coastwise commerce, the force of American public opinion, which we believe is strongly in favor of the most honorable observance of treaty obligations, compelled the abandonment of such a position, and as the Act now stands, American vessels engaged in foreign commerce will pay the same tolls that the English, the French, the German, or any other nation pays.

The controversy, then, turns upon the question whether the exemption of American coastwise vessels is a discrimination against foreign nations. Our belief is that, after a reasonable lapse of time, which will give our foreign critics an opportunity to consider the matter, they will themselves abandon their

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contention. But if they still insist upon it and demand international arbitration, we are in favor of arbitration, provided a court of arbitration can be formed the members of which are not parties in interest.

There is another aspect of this question upon which we want to say a very frank but not unfriendly word. The British press, in its severe and sometimes bitter comment upon the United States in this controversy, has displayed an attitude towards America and Americans that seems to many of us on this side of the water to be apparently prejudiced and irritating. Our British critics have frequently used the word "dishonor" in connection with our building and administration of the Panama Canal. Have they given us in this matter that word of praise which we may be fairly said to deserve? If they have spoken such a word of praise, they certainly have not repeated it often enough to be in danger of over-stimulating our vanity.

What is it that the United States has done? For nearly four hundred years the civilized world entertained the idea of a canal through the Isthmus from the Atlantic to the Pacific. Surveys were made, plans were drawn, treaties were enacted. Finally the French people undertook the work. They failed. The American people assumed the burden. They have fought disease and death. They have struggled with engineering problems incredibly difficult. They have laid upon themselves financially an everlasting burden of over four hundred million dollars. All this has been done not merely for their own benefit, but for the benefit of the entire world. And their final act is to say that the ships of all nations, including their own, engaged in international commerce shall share the benefits of the Canal on equal terms. Not only that, they have legally fixed for the ships of the British people (who are now accusing the Americans of dishonorable practices) a rate of toll which is actually insufficient to pay the cost of the maintenance of the Canal.

The interest on the Canal bonds alone, to say nothing of the cost of operating the Canal and of maintaining order and health in the Canal Zone, will be twelve millions of dollars annually. It is perhaps within bounds to say that the people of the United States will tax themselves twenty million dollars a year for the purpose of opening the Canal to the ships of the world. Professor Emory R. Johnson, one of the leading experts in this country on the canal commerce of the world, estimates that it will not be until 1925 that the traffic through the Canal will reach the point of sixteen million tons annually. The maximum rate fixed by the Panama Canal Act per ton is one dollar and twenty-five cents. It is therefore reasonably probable that for the first ten years of its existence the receipts of the Canal will not pay its fixed charges.

This policy is to be commended. It is a policy recommended by President Taft, and is highly honorable to the American people. Cannot our British critics recognize some of these things, and admit that the American people are possibly honorable?

There are certain advantages and disadvantages to the political development of the United States which are found in the Panama Canal Act, but these we shall wait to point out in a future article.

OUR POLICE DISEASE

New York City has been giving to the country a needed lesson. The Rosenthal murder was a tragic, almost theatrical, exposure of the corrupt partnership between policemen and criminals, between men who make money out of lawless vice and men chosen to enforce the laws, between the shepherd's dog and the wolves. It is this that Mr. Meloney, in the title of his article which appears on another page, calls "our police disease."

That disease is ours; it is epidemic in American cities. It is not confined to New York. If it is at its worst in New York, it is only because there it has most to feed on.

What Mr. Meloney tells about the consequences of this police disease in New York is written not only from the record of the case so far, but also from knowledge gained through his experience as a newspaper man and through his experience in the Mayor's office. His diagnosis of the disease, therefore, is not that of a theorist, but of a man who has had what may be called clinical training.

He has not been content with describing the disease; he proposes a definite method of treatment. It is highly significant that one who sees as clearly as Mr. Meloney how deep-seated the evil is also firmly believes that it can be eradicated. That fact is more important than any specific measure he suggests.

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Without discussing his article in detail, except incidentally, we wish to call the attention of the readers of that article to certain matters relating to the police problem which seem to us fundamental.

There are at least three causes of the police disease, and, correspondingly, three points to which the attack upon the disease must be directed.

The first cause lies in the law itself. In the larger part of the Union the State takes an attitude toward the city like that of a parent who issues his commands to his son but takes no measures to secure obedience. This is always demoralizing to the son and humiliating to the parent. It has proved demoralizing to the city and humiliating to the State. If the city is to be regarded as a minor child to be controlled, it should not be left to enforce the laws which the State enacts. The State should assume the responsibility of enforcing its own laws. If, however, as we believe, the city is to be treated as an adult, it should be empowered to make its own charter, decide for itself the questions that chiefly concern its own citizens, and then be called upon to enforce only those laws which it makes for itself. In brief, as The Outlook has said before, the power that makes the law should assume the responsibility of enforcing it; and, conversely, the power that is expected to enforce the law should have the authority to make it. The application of this principle to the police disease is clear. As long as the police of the city are supposed to enforce a law for which the people of the city have no desire and assume no responsibility, the police will continue to exercise that discrimination in enforcing the law which is at the root of all police corruption.

The second cause of the police disease is the existence of corrupt men in places of authority. This cause of evil is not confined to the police—it is a cause of evil in the school, the bank, the private business concern, and even the church. The way to attack this is, of course, the old, obvious method of ferreting out the corruption and dealing with the offenders. This is District Attorney Whitman's distinctive task in the Rosenthal case. It is an essential part of the treatment; but it is not the whole of it.

The third cause is to be found in the perversely wrong organization of the police itself. At present in New York, and in many other cities, the subordinates in the police force have a long and almost unshakable tenure of office, while the commander of those subordinates is in a position of the greatest insecurity. Authority that is subject to removal at any time is no authority at all. The real authority will always reside in a system that is at least comparatively permanent. In the police force, therefore, the authority over the force resides not in the Commissioner, who is here to-day and gone to-morrow, but in an irresponsible organization within the permanent members of the force. It is that irresponsible organization—known as "the system," *par excellence*—that is the real seat of the police disease.

It is for the purpose of reversing the present police organization—making the head permanent and the subordinates easily removable—that Mr. Meloney offers most of his suggestions. With this end we agree: but not with all the means.

The Police Commissioner should have an office of comparative security. We do not believe he should be appointed by the Board of Estimate, because it is never wise to intrust the appointive power to a group except for the selection of subordinates engaged in the service of that group. The appointment of the Police Commissioner by the Mayor, however, might well be made subject to confirmation by the Board. His removal should not be left to judges. The function of the court is not administrative; the removal of a Commissioner of Police is a distinctly administrative duty. It is never well to avoid one evil by creating another. The removal of the Police Commissioner may, we believe, be intrusted to the Mayor, under limitations, provided the Mayor himself is subjected to prompt recall by petition of the people themselves.

The members of the police force, officers and men, on the other hand, should be deprived of their undeserved and injurious grip upon their places in the force that they now have. The view that the policeman has a property right in his office has been fruitful of evil in the police and injustice to the people at large. Mr. Meloney's suggestion that the police enlist for a term instead of being appointed to a permanent office is interesting. Enlistment would emphasize the reversal of the present arrangement. In that respect it is good. Whether it would be practicable or not we cannot judge. It is certain, however, that the members of the police, officers

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and men, should be subject to prompt removal by the Commissioner after trial by court martial. The decision should not be subject to review by the civil courts, but only by the Mayor. Whether the lieutenants and inspectors of police be under the command of a chief or not, the men in places of authority on the police force should be subject to the Commissioner, and removable by court martial.

The Rosenthal case should result not merely in the punishment of murderers and corruptionists, but also in the reform of the system under which murderers and corruptionists flourish.

LETTERS TO UNKNOWN FRIENDS

From my Unknown Friends I have received a great many more letters than it has been possible to answer through the columns of The Outlook. Some of them have been answered personally, but this also involves an amount of time and thought which is not always at my disposal. In this and later articles I propose to group a number of these letters, answering them briefly. If the correspondent finds the answer inadequate, as in many cases he probably will, I ask him to accept it as a token of interest and good will, and to regard it as a suggestion which he must amplify by his own reflection.

LYMAN ABBOTT.

How shall I resist temptation? Never is there a time that I fall into temptation but that I am sorry afterwards and promise myself to reform—without avail. How shall I strengthen my will power? H. F.

If you are in company with a person of strong will, you probably find yourself sustained in your purpose by his will. He reinforces your good resolution. It is the teaching of the Bible, and it is the faith of those who believe in it, that there is an invisible Father of our spirits, in whose fellowship we may live, and by whose strength we may strengthen our weak wills and steady our wayward wills. There is no process by which this change in character can be instantly accomplished. But if you seek the companionship of those whose character you wish to emulate, and the companionship of your Father whose service you wish to do, you will find your will gradually strengthened and steadied. But you must expect that your ideal will always be better than your performance, though you may hope that each year will show both a better ideal and a better performance.

Could you speak a helpful word to those who have no inborn sense of the reality of the unseen? To those who possess it—as most great Christians do in very large degree—it may seem incredible that any one can be born without it. But I am convinced that there are many such people. E. T. B.

To this very fundamental question there are two answers.

First, we are not to measure ourselves by the clearness of our vision, but by our obedience to such vision as we have. Only three of Christ's disciples went up into the Mount of Transfiguration and saw him there, but the others could be obedient to him. The private soldier who never saw General Washington could be loyal to his unseen commander, and Benedict Arnold, who had lived in close companionship with Washington, could be a traitor to him. We all have some vision of truth and duty, and we are to test ourselves, not by the excellence of the vision, but by our obedience to such vision as we have.

Second, the clearness of the vision depends partly upon temperament, but we may all cultivate it by obedience to its message of inspiration, and by some fellowship, through literature or otherwise, with the men and women of vision. But our prayers should be chiefly, not for greater gladness and glory in seeing, but for greater patience and courage in obeying.

What is the meaning of the saying, "Are not five sparrows sold for two farthings? and not one of them is forgotten by God"? It is supposed that God loves and protects the sparrow, and the application is that in like manner he loves and protects us. Please explain this lovable belief with the inexorable facts. A. T. M.

What do we most desire for our children? Happiness or character? If God were to protect us from the perils and temptations of life, he would not equip us with character, nor would he furnish us the highest happiness. For the highest happiness comes to the courageous in confronting danger and to the virtuous in overcoming temptation. Peter, in his inventory of the qualities that make up a noble character, describes them as follows: Faith, valor, knowledge, self-control, patience, godliness, brotherly kind-

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ness, love. These qualities cannot be given to one ready made; they must be developed in one by life education. It requires courage to develop valor, study to develop knowledge, struggle to develop self-control, burden-bearing to develop patience, battle with one's self to develop loyalty to God—that is, godliness—uncongenial neighbors to develop brotherly kindness, and self-sacrifice to develop, to its highest degree, love. If we regard the purpose of love to be to give present-day happiness, it is impossible to believe that God is love. If we believe the object of love to be the development of the highest form of character and the noblest experiences of life, it is possible to believe that we have in the struggles which make for character the help of a Great Companion who has more hope for us than we have for ourselves, and more faith in us than we have in ourselves.

Will Dr. Abbott give in The Outlook his interpretation of Matthew xvi. 18, 19, and John xx. 23, including a definition of the word church as used in the first passage, and by so doing aid a perplexed reader to a better understanding of the text?

*

There are two views respecting the Church of Christ. One, that he organized a Church to which all his followers should belong; the other, that he taught certain principles and imbues his followers with his own spirit, leaving those who accept those principles and possess that spirit to form their own organizations for carrying on his work—organizations which differ in different communities and at different epochs. The first is the Catholic view, the second is the Protestant view. The second is my view. I understand Christ's meaning in Matthew xvi. 18, 19, to be that whoever has a living faith in Jesus as the Messiah will by that faith be transformed in character, as Simon was transformed from a wave of the sea into a rock, and that on this living, transforming power of faith Christ founds the great invisible body of all his disciples and followers—a body which is more than any one church, but which is interpreted and expressed by all Christian churches. And I understand by his saying in John xx. 23, "Whosesoever sins ye remit, they are remitted unto them; and whosesoever sins ye retain, they are retained," that he puts upon this invisible body of his disciples and followers the responsibility of purifying the world and perfecting the kingdom of God. If they are faithful to their work, they will succeed in it; but the responsibility is laid upon them, and if they do not take up the work which he has laid upon them the work will not be done.

PROGRESSIVE DEMOCRACY[1]

THE HIGH COST OF LIVING

EDITORIAL BY THEODORE ROOSEVELT

THERE can be no more important question than the high cost of living necessities.

The main purpose of the Progressive movement is to place the American people in possession of their birthright, to secure for all the American people unobstructed access to the fountains of measureless prosperity which their Creator offers them. We in this country are blessed with great natural resources, and our men and women have a very high standard of intelligence and of industrial capacity. Surely, such being the case, we cannot permanently support conditions under which each family finds it increasingly difficult to secure the necessaries of life and a fair share of its comforts through the earnings of its members.

The cost of living in this country has risen during the last few years out of all proportion to the increase in the rate of most salaries and wages; the same situation confronts alike the majority of wage-workers, small business men, small professional men, the clerks, the doctors, clergymen.

Now, grave though the problem is, there is one way to make it graver, and that is to deal with it insincerely, to advance false remedies, to promise the impossible. Our opponents, Republicans and Democrats alike, propose to deal with it in this way. The Republicans in their platform promise an inquiry into the facts. Most certainly there should be such inquiry. But the way the present Administration has failed to keep its

[1] In a series of editorials, of which this is one, Mr. Roosevelt is repeating in essence the statement of his political faith made before the Progressive Convention at Chicago.

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promises in the past, and the rank dishonesty of action on the part of the Penrose-Barnes-Guggenheim National Convention, makes their every promise worthless.

The Democratic platform affects to find the entire cause of the high cost of living in the tariff, and promises to remedy it by free trade, especially free trade in the necessaries of life. In the first place, this attitude ignores the patent fact that the problem is world-wide, that everywhere, in England and France, as in Germany and Japan, it appears with greater or less severity; that in England, for instance, it has become a very severe problem, although neither the tariff nor, save to a small degree, the trusts can there have any possible effect upon the situation.

In the second place, the Democratic platform, if it is sincere, must mean that all duties will be taken off the products of the farmer. Yet most certainly we cannot afford to have the farmer struck down. The welfare of the tiller of the soil is as important as the welfare of the wage-worker himself, and we must sedulously guard both. The farmer, the producer of the necessities of life, can himself live only if he raises these necessities for a profit. On the other hand, the consumer who must have that farmer's product in order to live, must be allowed to purchase it at the lowest cost that can give the farmer his profit, and everything possible must be done to eliminate any middleman whose function does not tend to increase the cheapness of distribution of the product; and, moreover, everything must be done to stop all speculating, all gambling with the bread-basket, which has even the slightest deleterious effect upon the producer and the consumer. There must be legislation which will bring about a closer business relationship between the farmer and the consumer. Recently experts in the Agricultural Department have figured that nearly fifty per cent of the price for agricultural products paid by the consumer goes into the pockets, not of the farmer, but of various middlemen; and it is probable that over half of what is thus paid to middlemen is needless, can be saved by wise business methods (introduced through both law and custom), and can therefore be returned to the farmer and the consumer. Through the proposed Inter-State Industrial Commission we can effectively do away with any arbitrary control by combinations of the necessities of life.

Furthermore, the Governments of the Nation and of the several States must combine in doing everything they can to make the farmer's business profitable, so that he shall get more out of the soil, and enjoy better business facilities for marketing what he thus gets. In this manner his return will be increased while the price to the consumer is diminished. The elimination of the middleman by agricultural exchanges and by the use of improved business methods generally, the development of good roads, the reclamation of arid lands and swamp lands, the improvement in the productivity of farms, the encouragement of all agencies which tend to bring people back to the soil and to make country life more interesting as well as more profitable—all these movements will help not only the farmer but the man who consumes the farmer's products.

There is urgent need of non-partisan expert examination into any tariff schedule which seems to increase the cost of living, and, unless the increase thus caused is more than countervailed by the benefit to the class of the community which actually receives the protection, it must of course mean that that particular duty must be reduced. The system of levying a tariff for the protection and encouragement of American industry so as to secure higher wages and better conditions of life for American laborers must never be perverted so as to operate for the impoverishment of those whom it was intended to benefit.

But, in any event, the effect of the tariff on the cost of living is slight; any householder can satisfy himself of this fact by considering the increase in price of articles, like milk and eggs, upon which the influence of both the tariff and the trusts is negligible. No conditions have been shown which warrant us in believing that the abolition of the protective tariff as a whole would bring any substantial benefit to the consumer, while it would certainly cause unheard-of immediate disaster to all wage-workers, all business men, and all farmers, and in all probability would permanently lower the standard of living here.

In order to show the utter futility of the belief that the abolition of the tariff and the establishment of free trade would remedy the condition complained of, all that is necessary is to look at the course of industrial events in England and in Germany during the last thirty years, the former under free trade, the latter under a protective system. During these thirty years it is a matter of common

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knowledge that Germany has forged ahead relatively to England, and this not only as regards the employers, but as regards the wage-earners—in short, as regards all members of the industrial classes. Doubtless many causes have combined to produce this result; it is not to be ascribed to the tariff alone, but, on the other hand, it is evident that it could not have come about if a protective tariff were even a chief cause among many other causes of the high cost of living.

It is also asserted that the trusts are responsible for the high cost of living. I have no question that, as regards certain trusts, this is true. I also have no question that it will continue to be true just as long as the country confines itself to acting as the Baltimore platform demands that we act. This demand is, in effect, for the States and National Government to make the futile attempt to exercise forty-nine sovereign and conflicting authorities in the effort jointly to suppress the trusts, while at the same time the National Government refuses to exercise proper control over them. There will be no diminution in the cost of trust-made articles so long as our Government attempts the impossible task of restoring the flint-lock conditions of business sixty years ago by trusting only to a succession of lawsuits under the Anti-Trust Law—a method which it has been definitely shown usually results to the benefit of any big business concern which really ought to be dissolved, but which causes disturbances and distress to multitudes of smaller concerns. Trusts which increase production—unless they do it wastefully, as in certain forms of mining and lumbering—cannot permanently increase the cost of living; it is the trusts which limit production, or which, without limiting production, take advantage of the lack of governmental control, and eliminate competition by combining to control the market, that cause an increase in the cost of living.

There should be established at once, as I have elsewhere said, under the National Government an inter-State Industrial Commission, which should exercise full supervision over the big industrial concerns doing an inter-State business into which an element of monopoly enters. Where these concerns deal with the necessaries of life the Commission should not shrink, if the necessity is proved, of going to the extent of exercising regulatory control over the conditions that create or determine monopoly prices.

By such action we shall certainly be able to remove the element of contributory causation on the part of the trusts and the tariff towards the high cost of living. There will remain many other elements. Wrong taxation, including failure to tax swollen inheritances and unused land and other natural resources held for speculative purposes, is one of these elements.

The modern tendency to leave the country for the town is another element; and exhaustion of the soil and poor methods of raising and marketing the products of the soil make up another element, as I have already shown. Another element is that of waste and extravagance, individual and National. No laws which the wit of man can devise will avail to make the community prosperous if the average individual lives in such fashion that his expenditure always exceeds his income.

National extravagance—that is, the expenditure of money which is not warranted—we can ourselves control; and to some degree we can help in doing away with the extravagance caused by international rivalries.

These are all definite methods by which something can be accomplished in the direction of decreasing the cost of living. All taken together will not fully meet the situation. There are in it elements which as yet we do not understand. We can be certain that the remedy proposed by the Democratic party is a quack remedy. It is just as emphatically a quack remedy as was the quack remedy, the panacea, the universal cure-all which they proposed sixteen years ago. It is instructive to compare what they now say with what they said in 1896. Only sixteen years ago they were telling us that the decrease in prices was fatal to our people, that the fall in the production of gold, and, as a consequence, the fall in the prices of commodities, was responsible for our ills. Now they ascribe these ills to diametrically opposite causes, such as the rise in the price of commodities. It may well be that the immense output of gold during the last few years is partly responsible for certain phases of the present trouble—which is an instructive commentary on the wisdom of those men who sixteen years ago insisted that the remedy for everything was to be found in the mere additional output of coin, silver and gold alike.

There is no more curious delusion than that the Democratic platform is a Progressive platform. The Democratic platform, representing the best thought of the acknowledged Democratic leaders at Baltimore, is purely

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retrogressive and reactionary. There is no progress in it. It represents an effort to go back; to put this Nation of a hundred millions, existing under modern conditions, back to where it was as a Nation of twenty-five millions in the days of the stage-coach and canal-boat. Such an attitude is toryism, not Progressivism.

In addition, then, to the remedies that we can begin forthwith, there should be a fearless, intelligent, and searching inquiry into the whole subject, made by an absolutely non-partisan body of experts, with no prejudices to warp their minds, no object to serve, who shall recommend any necessary remedy, heedless of what interest may be helped or hurt thereby, and caring only for the interests of the people as a whole.

FOLLOWING THE CAMPAIGN

A WEEKLY DIGEST OF POLITICAL OPINION AS EXPRESSED BY PEOPLE AND NEWSPAPERS

THE JUDGES AND THE PLAIN PEOPLE

WHY is there dissatisfaction among the people with the courts? That there is dissatisfaction is shown by party platforms in this Presidential campaign. Is this something that concerns the every-day life of the common people?

Mayor Gaynor, in an article on "Bench and Bar," gives an answer. In this article he speaks not only as a public leader but as a man who has served as a judge on the New York Supreme Bench. He says:

> Do the courts . . . stand in the way of social and economic progress? . . . Yes, they do, and have done so for a long time. . . . Nothing is more distressing than to see a bench of judges . . . set themselves against the manifest and enlightened will of the community in matters of social, economic, or commercial progress.

This has chiefly affected the working people. There are many examples. Mr. W. F. Dodd, of the University of Illinois, in a communication to The Outlook, refers to an example in the State of Colorado. There the Legislature passed a law providing an eight-hour working day for the workingmen in mines and smelters. The Supreme Court of that State so interpreted the Constitution that it nullified that law and prevented the working people from having this relief.

What is the result of this sort of thing? In a letter to The Outlook, Mr. Henry N. Starr, of Illinois, expresses a common opinion:

> The American people fancy that they are a free and independent democracy, when, in fact, they are living under a usurping judicial autocracy.
>
> That our judges are mainly wise and pure, and not cruel and wicked men like Jeffreys and his associates under Charles I, is fortunate for us. The system has grown so gradually and so insidiously and has been so taken for granted as correct that the people have failed to take alarm. It is strange, but the judiciary have in fact usurped the power to repeal any law, under the plea that it is unconstitutional.

This dissatisfaction with the courts is nothing new. Mr. William L. Ransom, of the New York bar, in an address delivered not long ago before the Brooklyn Bar Association, has given an account of "the relation of the courts to the people," tracing it from the early days of the Republic. He has shown that in this history there were three periods of popular concern about the courts. The first period came "soon after the founding of the Government." The question then was whether by court decisions the several States could be made to conform to the Constitutional powers of the National Government. Says Mr. Ransom:

> That proposal aroused a very great deal of momentary antagonism. Two Presidents of the United States openly used their power and patronage to enforce a negative answer. Some of the most eminent members of the bench and bar . . . fought long and bitterly against the Progressive standards declared by Chief Justice Marshall in the Supreme Court of the United States; but, in the end, the new trail, blazed by the Nation's courts, became the accepted Constitutional path.

The second period was foreshadowed by the warnings of Alexander Hamilton, who expressed his view in the following question concerning the encroachments of one governmental department on another:

> How are the encroachments of the stronger to be prevented, or the wrongs of the weaker to be redressed, without an appeal to the people themselves, who, as the grantors of the commission, can also declare its true need and enforce its observance?

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Thomas Jefferson said in his letter to Thomas Ritchie dated December 25, 1820:

A judiciary independent of a king or executive alone is a good thing, but independence of the will of the nation is a solecism.

Again, in his letter to Judge Roane of September 6, 1819, Jefferson said:

It should be remembered as an axiom of eternal truth in politics that wherever power in any Government is independent it is absolute also. Independence can be trusted nowhere but with the people in mass.

Actual conditions about a decade later were thus reflected by Alexis de Tocqueville:

If I were asked where I place the American aristocracy, I should reply without hesitation that it is not composed of the rich, who are united by no common tie, but that it occupies the judicial bench and the bar. . . .

Armed with the power of declaring the laws to be unconstitutional, the American magistrate perpetually interferes in political affairs.

This second period culminated in a discussion over the Dred Scott decision. In this the Federal Supreme Court put Scott out of court because it held that a slave, or a slave's descendant, could not be an American citizen or have any standing in the Federal courts. Then the question was, as Mr. Ransom says:

Should the Dred Scott decision—a perfectly good decision, doubtless, in law, judged by legal precedents and mainly legal theories of the scope of the Constitution—be permitted to stand permanently in the way of the enlightened public conscience of the time?

Commenting on this, Abraham Lincoln said in his speech of June 26, 1857, at Springfield, Illinois:

We believe as much as Judge Douglas—perhaps more—in obedience to and respect for the judicial department of government.

We think its decisions on Constitutional questions, when fully settled, should control, not only the particular cases decided, but the general policy of the country, subject to be disturbed only by amendments to the Constitution as provided in that instrument itself. More than this would be revolution.

But we think the Dred Scott decision is erroneous. We know the Court that has made it has often overruled its own decisions, and we shall do what we can to have it overrule this.

The comments of Lincoln have been referred to by the advocates of the submission of judicial decisions to a popular vote. But Mr. Herman W. Stillman, a Chicago lawyer, writing to The Outlook says:

Lincoln never advocated the submission of judicial decisions to popular vote. He stood for a government *by* the people and also for a government *of* the people (which means a government in which the people permit themselves to be governed), both in accordance with the self-imposed restraints of the Constitution.

In their government *by* and *of* the people, in the passage of laws, the people cannot go further than authorized by the limitations of the Constitution; and in their government *by* and *of* the people, in the construction of their laws, they must be content to submit to its restrictions. . . .

They do not repudiate the principles and policies of Abraham Lincoln, but they believe that the Lincoln way is to create an enlightened public sentiment, with which the people, through their judges, will surely fall in line, within the limitations of the Constitution; and that if a law is desirable which the Constitution forbids, its enactment should first be made lawful "by amendments to the Constitution as provided in that instrument. *More than this would be revolution!*"

Now we are in the midst of the third period of especial popular concern with the courts. As Mr. Ransom remarks, "there is undoubtedly less of rancor and resentment, less of hate and haste, and far more of good humor and self-restraint in the present discussion than in the past."

As to this, Senator Root said in recently addressing the New York State Bar Association:

Some of the recent discussions of judicial conduct have been dignified and temperate expressions of reasoned opinion which we must respect although we may not agree with it, such, for instance, as the recent article by Mr. Roosevelt in The Outlook. Some other expressions, however, have been rather exhibitions of violent temper and appeals to prejudice, imputation of sinister motive, and incitements to hatred. Such expressions we may not hesitate to condemn; and I am glad to believe that the condemnation will find a response among the great body of American people.

What is, and what should be, the attitude of the judges? In this connection Mr. Robert S. Wickham, a Binghamton, New York, lawyer, calls our attention to the following quotation from Justice Holmes's "The Common Law:"

The life of the law has not been logic: it has been experience. The felt necessities of the time, the prevalent moral and political theories, the intuitions of public policy, avowed or unconscious, even the prejudices which judges share with their fellow-men, have had a good deal more to do than the syllogism in determining the rules by which men should be governed. The law embodies the story of a nation's development through many centuries, and it cannot be dealt with as if it contained only the axioms and corollaries of a book of mathematics.

With this in view, Mr. Harry L. Kent, director of instruction at the Kansas State

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Agricultural College, Manhattan, Kansas, writes to The Outlook as follows:

Where, in the services of our present justices—good men that they are—is the series of experiences that will give sympathy and understanding of the social conditions, requirements, and dues of the laboring and industrial classes? These men have been intimately associated with and employed by the wealthier members of our social body. They have studied, sympathized with, understood, and finally solved problems for this portion of society, favorably and acceptably to their clients.

But wherein lies their fitness to grasp the other side of the questions which come before them? . . . Ought not, could not, there be that other quality or consideration for fitness to sit on the Supreme Bench—the sympathy, experience, and understanding that come from just as intimate contact, study, and struggle with and for the problems and rights of the industrial classes as of the employing classes?

This criticism was most particularly accentuated by a recent decision of the New York State Court of Appeals, holding unconstitutional the Workmen's Compensation Law of that State. There was no possible appeal to the Federal Supreme Court, for there is no such appeal from a State decision adverse to the constitutionality of a statute. Concerning this Mr. Ransom says:

It is hard to explain . . . why beneficial legislation which the Supreme Court of the United States has held to be "Constitutional" when enacted by Kansas or Oregon should be left nugatory in New York on the theory that it violates the very provision of the Federal Constitution which it has been held not to violate.

The New York case directly led to Mr. Roosevelt's proposal in his address last spring at Carnegie Hall, New York City:

I am proposing merely that, in a certain class of cases, involving the police power, when a State court has set aside as unconstitutional a law passed by the Legislature for the general welfare, the question of the validity of the law—which would depend, as Justice Holmes so well phrases it, upon the prevailing morality or preponderant opinion—be submitted for final determination to a vote of the people, taken after due time for consideration.

Mr. Roosevelt styled his proposal "the Recall of Judicial Decisions." But, remonstrates Mr. Ransom, "from a lawyer's point of view, a more unfortunate and misleading characterization could hardly have been made." He adds:

Nearly all of the vigorous denunciation which the proposal has received . . . has been due to this unfortunate phrase. . . . Let us see just what his proposal . . . is not.

1. It has nothing to do with the United States Supreme Court and its decisions. . . .

2. It would in no way weaken or impair the interpretation or enforcement of the guaranties of the Federal Constitution by the Federal courts. . . .

3. It has nothing to do with any "specific" clause of any Constitution. . . .

4. It would not in any way repeal or amend or destroy the "due process" clause of any State Constitution. . . .

5. It has nothing to do with the "recall" of judges. . . .

6. It has nothing to do with the "decision" or "judgment" in any suit.

"If Mr. Roosevelt means," declares Mr. Charles E. Carpenter, of the University of North Dakota, "when he says he is not proposing anything in connection with the Federal Constitution, that the people may review a decision holding a State statute in conflict with a State Constitution, but may not overrule a decision where a statute is held to be in conflict with the Federal Constitution, it is difficult to see how Mr. Roosevelt's proposal could in any way relieve from the admittedly deplorable result reached in the Ives case."

On this point Mr. Walter James Shepard, of the University of Missouri, writes in a letter to The Outlook:

An amendment to the Federal statute permitting appeals in *all* cases where the question of the validity of a State statute is raised on ground of alleged conflict with the Federal Constitution would assure a final decision by the Supreme Court of the United States, and go far towards alleviating the condition.

There has also been some decided dissent. For instance, Mr. Stillman, from whom quotation has already been made, declares:

The American people elect most of their officials. They are trying the experiment in some States of electing their laws. It is now suggested that they choose their Constitutional interpretations by ballots.

It is the opinion of many patriotic citizens, who are part of the people, and who desire their full share in government by the people, that this is not practicable. They honestly believe that the electors have not yet advanced sufficiently in opportunity to know the law, ability to apply it, or freedom from boss rule, especially in our large cities, to make the experiment a safe one.

Mr. William G. Coleman, a Baltimore lawyer, in writing to The Outlook, says:

It is not believed that a theory so destructive of our governmental system under a fixed Constitution, so abhorrent to every thoughtful man's ideas of the proper administration of justice, will be accepted by any but a very negligible and unsafe element of our whole people. . . .

The proposed review of decisions would bring about chaos and injustice instead of the

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stability and justice which our Constitution affords.

Mr. E. B. Valentine, of Electra, Texas, writing to The Outlook, points out that "the principal difference between the proposed popular interpretation of State Constitutions and the present power of amendment would seem to lie in the fact that the proposed power would be retroactive, while the present power is not." He explains:

Primary elections are not retroactive. The recall of officers is not retroactive. The popular election of United States Senators would not be retroactive. The initiative and referendum are not retroactive. Constitutional amendments are not retroactive. All the various methods of expressing the popular will by direct vote that are now enforced or that have heretofore been proposed, so far as I am aware, are not retroactive. But the proposed interpretations of Constitutions by popular vote surely would be retroactive, and, to that extent, unwise.

Mr. William R. Burleigh, of Manchester, New Hampshire, asks the following practical questions:

If elected on the platform you publish, what can Mr. Roosevelt legally do to compel the adoption of the direct primary, the short ballot, the initiative, the referendum, the recall, the review of judicial decisions, the reform of the courts, or the government administration of public utilities?

Do not you and he both know that these are all matters exclusively in the control of the individual States?

But we already have a system equivalent to Mr. Roosevelt's, asserts Mr. Albert S. Bard, of New York City, in a letter to The Outlook. "Ordinary decisions," says he, "may be 'recalled' . . . by act of the Legislature. Except so far as Constitutional matters may be involved, the law as declared by the courts can be changed by the next Legislature or Congress, as the case may be." Mr. Bard instances the following illustration:

A milling company had appropriated, without permission, the portrait of a girl for use in its advertisements, and was circulating the portrait over the legend, "The Flour of the Family." The Court of Appeals said, in effect, that because this had never previously been recognized as a breach of personal rights it wouldn't recognize it, and held the girl to be without remedy. This decision was so abhorrent to the general sentiment of the State that the very next Legislature abrogated the decision with a statute.

Where a Constitutional question is involved, comments Mr. Bard, such decision may be "recalled" by amendment to the Constitution. Of this he gives the illustration of the New York decision against the Workmen's Compensation Act, "which, within a short time, will undoubtedly be 'recalled' by an amendment to the State Constitution expressly permitting such acts."

Referring to the assertion that if the people know enough to make a Constitution, they know enough in the last resort to say what it was that they meant when they made it, Mr. Bard asserts that "this seemingly artless sentence . . . may be taken to mean very different things." For instance:

If it means (*a*) that persons capable of drafting a constitution are capable of construing it, I agree. But the people are not competent to draw constitutions, and they never do draw them in fact. The work is done by skilled experts having years of specialized training. All that the people do is to say, in a very rough way, whether the general ideas embodied in the document are acceptable.

If it means (*b*) that a people capable of voting to adopt a constitution may wisely be left to decide whether or not particular amendments which are proposed shall be adopted, again I agree. This is precisely what we do to-day.

But if it is intended to mean (*c*) that a people . . . capable of voting upon the acceptance or rejection of a constitution is capable of reviewing as a court of last resort a question of its construction, or may properly do so, the proposition is laughable. It simply cannot be done.

Mr. Allan F. Westcott, of Annapolis, Maryland, writing to The Outlook, thus concludes:

In most cases, since laws are in the nature of bonds between the individual and society, the people, as a body, are litigants, either as plaintiffs or defendants. To transfer judicial power to them would be to combine the offices of plaintiff or defendant and judge, an anomaly in Anglo-Saxon legal procedure.

In answer to this point Mr. Bernard A. Rosenblatt, a New York City lawyer, in a letter to The Outlook, says:

On a careful examination of the problem, such reasoning must appear weak and unconvincing. If the people were the judge between the minority and the majority, then indeed the decision might justly be viewed with suspicion. But in the case to which the recall of judicial decisions is intended to be applied the Legislature of the State, sworn to defend and sustain the Constitution, has enacted certain laws which it deems Constitutional. The legislators have neither the moral nor legal right to pass any laws but those which they are convinced are Constitutional. . . .

When such a law, approved by the executive and legislative branches of the government, is disapproved by the courts of the States on the ground that the act is in contravention of the State Constitution, we have a situation wherein two branches of the government (law-making and law-enforcing) disagree with the opinion of the third branch (law-interpreting). Is it not

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logical to provide for some method whereby the people . . . should decide as between the diverse opinions of their various representatives as to what the Constitution really is?

Another method is proposed by Mr. George L. Burtis, of Marquette, Michigan. Writing to The Outlook, he suggests that a law declared unconstitutional might be submitted to the people; and adds:

If the people of the State or of the Nation, acting as a unit for the purpose, give a majority vote in favor of the law, and thus re-enact it, then let it take its place as an *extra-Constitutional law*, having the same force as the Constitution itself and repealable by the people, and by them only.

A . . . plan, also needing for its establishment Constitutional amendment, would be to have every law submitted to the Supreme Court of State or Nation, as the case might require, if during its passage through the Legislature or Congress its constitutionality were brought into serious question, and if two-fifths of the Legislature requested a decision from its Supreme Court as to the constitutionality of the proposed law before it went to the Executive for his signature.

Mr. Dodd, who has already been mentioned, declares himself to be "in hearty agreement with Mr. Roosevelt's arguments," but feels that the end at which Mr. Roosevelt aims may be accomplished more fully and less cumbrously by two measures:

(1) Take from the State Constitutions the broad guaranties of "due process of law" and "equal protection of the laws," leaving all State cases involving such guaranties to be settled by an application of the Fourteenth Amendment to the Federal Constitution. . . .

(2) If these clauses are removed from State Constitutions, contests over the validity of new social and industrial legislation must then be based almost entirely, if not entirely, upon the provisions of the Fourteenth Amendment. An amendment to the Federal Judicial Code . . . would permit all such cases to be brought promptly from State courts to the United States Supreme Court for final settlement.

Mr. Harrison J. Conant, a lawyer of Montpelier, Vermont, writing to The Outlook, declares:

That some of our courts have nullified the will of the people expressed in legislative enactments by an "absurd narrowness" of interpretation of the Constitution "resting on literal distinctions," is too obvious to be denied.

But Mr. Conant asks:

Would it not be in accordance with the true theory of Constitutional interpretation to require decisions of the court to be *unanimous* in order to nullify any act of the Legislature? . . . In a criminal case we resolve a reasonable doubt in favor of the accused, and require that all of the jurors be free from such doubt. Is it unreasonable to require unanimity when the Constitution is on trial?

Ex-Governor Lucius F. C. Garvin, of Lonsdale, Rhode Island, in the course of a letter to The Outlook, says:

The trouble with President Taft, Mr. Root, Mr. Lodge, Mr. McCall, and Secretary Nagel is that no one of them appears to realize that present conditions are extremely bad. President Taft says that, instead of popular review of judicial opinions of the Constitution, let the people amend the Constitution. But he does not recognize the fact that for the people to amend the National Constitution as they wish is an impossibility; nor are most of the State Constitutions open to change at the will of the majority. If the people could change their Constitutions . . . as they can do in the State of Oregon, then they could well afford to do without the other powers to which Mr. Taft objects. They could, and would, create a legislature truly representative. They could, and would, provide machinery for the election of executive officers far superior to that which now exists. As Mr. Roosevelt has just written, setting forth the line of separation between the Progressives and their opponents, "The issue is perfectly simple. Do you believe in the rule of the people? If you do, you are with us. If you do not, you are against us."

That is the truth. If Mr. Taft and his supporters had faith in the American theory of government, they would advocate some method by which a majority could alter the organic law when they so desire. The fact that not one of them proposes the granting of such power to the people indicates that they believe in the aristocratic form of government.

At all events, Mr. Arthur W. Richards, of Yonkers, New York, writing to The Outlook, thus concludes:

I suggest that we let up a while on theoretical judgments as to the ability of the people to rule and give them a trial at it.

This is why the Progressive party adopted the following plank:

The Progressive party demands such restriction of the power of the courts as shall leave to the people the ultimate authority to determine fundamental questions of social welfare and public policy. To secure this end it pledges itself to provide:

1. That when an act, passed under the police power of the State, is held unconstitutional under the State Constitution by the courts, the people, after an ample interval for deliberation, shall have an opportunity to vote on the question whether they desire the act to become a law, notwithstanding such decision.

2. That every decision of the highest appellate court of a State declaring an act of the Legislature unconstitutional on the ground of its violation of the Federal Constitution shall be subject to the same review by the Supreme Court of the United States as is now accorded to decisions sustaining such legislation.

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THE DEATH OF GENERAL NOGI

BY GEORGE KENNAN

GENERAL COUNT KITEN NOGI, who committed suicide in Tokyo on the night of September 13, was perhaps the most widely known and best loved of all the great leaders who directed the armies of Japan in the memorable war of 1904–1905. He was born in Choshiu in 1849, and began his military career, at the age of fourteen, as a samurai in the service of the Daimio of Choshiu, one of the most powerful nobles of feudal Japan. His early training on its physical side was that of a Spartan boy, and on its mental and moral side that of a Marcus Aurelius. His whole life showed that he was deeply impressed in his earliest youth with the temper and spirit of Old Japan, and his rules of conduct were based on the ethical code known as Bushido —"the way of the knights." The very foundation of that code, as expounded by a recent Japanese historian, was "loyalty—loyalty to one's lord, or to any man or matter upon which one's heart is set." The code also taught, and Nogi as a boy learned, the importance of fearlessness, modesty, simplicity, sensitiveness to considerations of personal honor, readiness to sacrifice everything in the performance of duty, and complete disregard of mere existence when existence is incompatible with inherited standards of faithfulness and moral obligation.

With these ideas in his mind and with this spirit in his blood, young Nogi began his military career. He served with credit in the civil war of 1877 (the so-called Satsuma Rebellion), and was subsequently promoted two or three times; but he did not see active service again until the outbreak of the Chinese War in 1894, when, after appointment to the command of a brigade, he took part in the capture of Port Arthur—the great fortress which he was destined to attack and capture a second time in 1904. After the Chinese War he was raised to the peerage; received the decoration of the Golden Kite; was made lieutenant-general, and given command of the Second Division of the Japanese army at Sendai. In 1896 he was appointed Governor-General of the newly acquired territory of Formosa; but after a short term of service there he returned to Japan and took command of the Eleventh Division, which was then stationed at Marugame. In 1900 he resigned his post, settled with his wife and his two sons in the country, and became a simple farmer. If his sovereign had not again needed his services, he might have lived the rest of his life as a plain country gentleman in his native province of Choshiu; but when the war with Russia broke out, the Emperor recalled him to Tokyo, promoted him to the rank of full general, and ordered him to command the army that was to operate on the Liaotung peninsula—the very field where he had first won distinction.

Of the crowning achievement of his life, the capture of Port Arthur and the destruction of the Russian fleet lying in the harbor, it is hardly necessary to speak. I wrote twelve articles for The Outlook from the headquarters of the besieging army, and everybody must still remember the bombardments, the night attacks, the sure-death parties, and the tremendous final assaults on Two-Hundred-and-Three-Meter Hill and the central forts. Two incidents of the siege, however, are still worth retrospective attention, on account of the light that they throw upon the character and beliefs of the man who, at the last, did not regard it as weak, dishonorable, or unfaithful to take his own life. The first one is the death of his second and only remaining son in the storming of Two-Hundred-and-Three-Meter Hill. As the social unit in Japan is the family rather than the individual, the continued existence of the family is regarded as a matter of the utmost importance, and the complete extinction of a family line is a calamity of the most serious and deplorable nature.

When the Russo-Japanese War began, Count and Countess Nogi had two surviving children, both sons, and both in the army. At the storming of Nanshan, Shotèn, the elder son, perished; and when the siege of Port Arthur began, Hoten, the younger son, was an officer in a regiment that formed a part of General Nogi's attacking force. Ninety-nine Western fathers out of a hundred, when they had given one son to their country and had only one left, when they faced the possibility of a bereavement that would leave them childless in their old age

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and bring to an end their family line, would have sheltered a little the one son that remained. It would have been easy for General Nogi, as supreme commander of the Third Army, to assign Hoten to duty on his staff, and thus protect him from some of the dangers incident to regimental service at the extreme front. Nogi, however, was not a father of that type. He and his remaining son might both die; but it was the duty of both to die, if necessary, and each must serve faithfully in the position that he occupied, regardless of death and regardless of the possibility of family extinction. Hoten, therefore, was left to take his chances at the front. His father watched the tremendous struggle for possession of Two-Hundred-and-Three-Meter Hill with a full consciousness that his last son was taking part in it; but during the progress of the battle he showed no signs of emotion. At night, however, when his officers had retired and he believed himself to be alone, he would sit for an hour at a time with his face in his hands and tears trickling through his fingers. Early in December, on the third day, I think, of the assault, Hoten was killed while leading a small storming party in an attack on one of the covered trenches of the Hill. When the father was notified of the son's death, he received the news calmly, and in his subsequent address of congratulation to his victorious troops he made no reference to his own bereavement. As he afterward said to a Russian officer of General Stoessel's staff: "You have lost many dear comrades; so have I: but it is not our custom to express our grief. Our hearts may be full, but our words must be few."

The second incident of the Port Arthur campaign that seems to me worth remembrance at this time is the solemn battlefield address to the spirits of the dead. Toward the close of the siege General Nogi, for the satisfaction apparently of his own inner nature and his own deep feeling of moral responsibility, caused an altar to be erected on a dusty plain between the hills in front of the Russian forts; assembled the officers of his staff and a part of his troops; and, after performing the Shinto rites of reverence and respect, read a written address to the spirits of his dead soldiers. In this address he humbly apologized for the incapacity that he had shown in the conduct of the siege, and begged the forgiveness of the men who had been sent to their death by him, but who might possibly have been saved alive if the siege had been better managed and the assaults more skillfully directed. Such a ceremony and such an address are foreign to all our modes of thought and action; but even if the spirit of Old Japan be strange to us, we can hardly fail to appreciate the touching sincerity of the feeling, and the strength of the conviction that the dead are still in existence, and that the living have in relation to them an unchanged duty and a continuing responsibility.

That General Nogi was deeply conscious of his own limitations and mistakes, and that he was greatly oppressed by a feeling of accountability for them, there can be no doubt. He was not a man to say what he did not sincerely mean, and in a letter written to General Terauchi, the Minister of War, a few days after the surrender of Port Arthur, he said: "I wish you all the compliments of the season" (it was just after New Year's day). "The feeling I have at this moment is solely one of anguish and humiliation that I should have expended so many lives, so much ammunition, and such a long time in the accomplishment of my task. At last General Stoessel's patience has become exhausted and he has surrendered the fortress, so that, in this part of the field, a settlement has been reached. I have no excuse to offer to my sovereign and to my countrymen for this unscientific, unstrategical combat of brute force. . . . Our preparations are now complete, and we are looking forward with great pleasure to tasting the sweets of a field campaign [the reference is to the forced march northward to take part in the battle of Mukden]. . . . I thank you heartily for your kind condolences on the death of my sons, and I beg you to forgive my long display of military unskillfulness."

Again, in an extremely brief report to the Emperor upon the siege of Port Arthur and the battle of Mukden, General Nogi said: "Even with such loyal and gallant officers and men as I had, a long time was spent—more than half a year—in capturing the Port Arthur stronghold; and in the battle of Mukden" (twenty-six words omitted in the report as published) "and we could not find an opportunity to crush a large force of the enemy's horsemen who moved in the rear of our left flank. This gives me the deepest cause of regret in my life." The twenty-six omitted words were probably a self-condemnatory statement of partial failure in the flanking movement on

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the Japanese left, which was intended completely to surround Kuropatkin's army. The words were stricken out by the Emperor personally before the report was given to the press, and his object evidently was to prevent historical record of a great injustice done by General Nogi to himself. This deep consciousness of comparative inefficiency, and of moral responsibility therefor, Nogi never ceased to feel. In the later years of his life he often referred to it, and more than once said to his friends that the loss of his two sons seemed "almost a necessity, because only through this terrible bereavement could he answer to the spirits of the many brave men whom it had been his unhappy duty to send to death."

Such an attitude toward the dead and such a feeling of responsibility for personal errors that possibly increased the number of dead are foreign to all our modes of thought and all our standards of moral accountability; but they are quite in harmony with the spirit of Bushido and Old Japan, and Nogi must be judged by the feelings and beliefs of his teachers and contemporaries, not by feelings and beliefs that have been created by a different history and environment, and that prevail in a very different part of the world.

Another noteworthy trait of Nogi's character was his generosity to his enemies. In a recent article in The Outlook I referred to his extraordinary magnanimity in offering, at the unveiling of the Japanese monument to the Russian dead at Port Arthur, to conduct a Shinto religious service in honor of the spirits of the soldiers who, while living, had killed his sons and twenty or thirty thousand of his countrymen. An additional illustration of this trait is to be found in a letter that he wrote to the Governor of Nagasaki just before General Stoessel and his officers were sent to that port at the end of the siege. It was in part as follows:

> Sir: It has been arranged to send around by your port the Russian military men and officials who are returning to their country on parole. I do not doubt that you have received some official communication as to their treatment, but I desire to state my own views, for your information. It need hardly be said that persons released on parole are not prisoners, neither are they enemies. They are merely foreigners who have performed loyal service in their country's cause. So long as combat continued, due vigilance, of course, had to be exercised; but I trust that the officials and the people of my country will not now regard these men as prisoners. They should be treated with humanity and the fullest courtesy.

Six years after this letter was written—in 1911—General Nogi spent a day or two in St. Petersburg, on his way to London, where he went to represent his Emperor at the coronation of George V. While in the capital of the Czar's Empire he did not forget, nor neglect, to lay a wreath of fresh flowers on the grave of General Kondratenko, one of the bravest and most skillful of the Russian officers with whom he had fought at Port Arthur. These incidents may seem unimportant; but they help to show what manner of man General Nogi was, and what his attitude was toward the spirits of the dead who died for Japan and the dead who died for Russia.

After the war General Nogi returned to Tokyo, where the great popular ovation that he received showed conclusively the depth and sincerity of the people's respect, sympathy, and love. In 1911 he went to London to attend the coronation of George V, but during the five or six years that followed the war he lived quietly in Tokyo, attending to his duties as military counselor, taking an active interest in affairs of state, but doing nothing to attract particular attention. On the 30th of July the whole Empire was shocked and plunged into the deepest grief by the death of the Emperor Mutsuhito. On the 13th of September—forty-five days later—General Nogi stabbed himself in the throat and the Countess Nogi killed herself by *seppuku* just as the firing of a gun in the palace grounds announced that the body of the Emperor had begun its journey to the grave. No event in recent years has made a more dramatic and tragic impression upon the world, and none has been followed by more inquiry, conjecture, approval, and condemnation. Like Tolstoy's abandonment of his home and death in a railway station at Astapova, it has caused the whole world to ask, "Why?" In the absence of any positive information with regard to the Nogis' intentions and reasons, it is difficult to suggest any adequate psychological explanation of their action; but it may be possible to throw some light upon the history of suicide in Japan, and upon the social and traditional environment which has made self-destruction there a very different thing from self-destruction here.

In order to understand, however, the Japanese attitude toward suicide, we must divest ourselves, as far as possible, of our own inherited and acquired beliefs, and try to look

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at the matter from the view-point of a people who have never regarded suicide as essentially, inherently, and in all cases a crime. Suicide in Japan has always and everywhere been regarded as sometimes justifiable. Throughout the feudal period *seppuku*, or self-disembowelment, was enforced in the samurai class as a punishment for certain kinds of offenses; but this association with crime never made it disgraceful *per se*. Death by suicide continued to be honorable and, in certain cases, praiseworthy. When a *bushi*, or knight, was forced to a choice between two lines of conduct, one of which involved the sacrifice of principle and the other the sacrifice of life, he chose the latter without a moment's hesitation, and put himself to death with perfect coolness and dignity. Life, in the West, has almost invariably been put first in the list of desirables. Life, in Japan, has always been regarded as insignificant when balanced against any one of a dozen other things. Loyalty was better than life; the faithful performance of duty was better than life; the sacrifice of one's own interests to the interests of one's lord was better than life; the preservation of personal honor and dignity was better than life. Life was of value only when it was compatible with certain ideals of conduct. It may be said that these ideals of conduct were artificial, unreasonable, or even fantastic; but that does not affect the fundamental difference between the Eastern man and the Western man in the attitude of each toward life.

The Eastern man (I now refer particularly to the samurai) was always ready to die for the thing that seemed to him worth while—and there were many such things. The Western man is also ready to die for the thing that seems to him worth while—but there are few such things. The worth-while things in the East and the West differ as widely as does the attitude of the East and West, respectively, toward suicide as a means of attaining the worth-while things or avoiding the things that seem to be vitally injurious or disgraceful.

Suicide, as a means of attracting attention to what seem to be insupportable evils and exciting public feeling against them, has been practiced in Japan for centuries. As late as 1891 Ohara Takeyoshi, a lieutenant in the Yezo militia, committed suicide in front of the graves of his ancestors in Tokyo as a protest against what he thought was the indifference of the Japanese Government to Russian encroachments in the north. His explanation was that he thought "an appeal from the grave would move men's hearts more surely than any arguments urged by a living voice." After the Japanese-Chinese War, when Japan gave up Port Arthur and allowed it to be occupied by the Russians, no fewer than forty Japanese army officers committed suicide by *seppuku*.

This ideal of conduct may seem strange to us, but it is not incomprehensible, and there have been analogous cases even in the West. I knew a young married woman in Siberia—a political offender—who was condemned to death while pregnant, but who concealed her condition in order that she might be hanged with her unborn child. Her sentence would have been commuted if the authorities had known all the facts, but she was ready to commit what was virtually suicide because she thought that the horror of such an execution would raise a storm of popular indignation and protest against Russian governmental methods. How does this case differ in principle from the suicide of Ohara Takeyoshi and the officers of the Japanese army? And yet it is not an Oriental case. We are undoubtedly right in condemning Japanese suicide; but let us not misunderstand it, nor ignore the fact that the principle which underlies it—the insignificance of life in comparison with certain other things—is not to be condemned without qualification. It is a principle that has given firmness and strength to the Japanese character, and that has produced many men of the Nogi type—the type of Old Japan. How strong devotion to this principle has been in Japan we may see from the action of the lower house of the Japanese Parliament upon a proposal, made as late as 1869, to prohibit *seppuku* and abolish it altogether. Two hundred members out of two hundred and nine voted against the proposal, and six refrained from voting. The speakers who defended *seppuku* declared that it was "the very shrine of the Japanese national spirit and the embodiment in practice of devotion to principle." The spirit of Japan has changed since then, but it still remains unchanged in a few men of the Nogi type.

In very early, almost prehistoric, times the custom of *jun-shi*, or dying with the master, led to the interment of living Japanese retainers with their dead lord. This custom gradually died out, but voluntary suicide as

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a means of showing personal devotion or attachment to a master or superior persisted for many centuries. In 1614, for example, three of the retainers of the Prince of Hirado killed themselves by *seppuku*, in order to "bear their dead lord company." There have been hundreds of similar cases in more recent times. General Nogi is said to have left a letter to be given to the new Emperor. When that letter is published, if it ever be published, we shall probably know definitely the reasons for the writer's suicide. Meanwhile I may perhaps venture to express the opinion that Nogi's act was not an act of weakness, nor a result of melancholia, nor an evidence of unbalanced mind. He never was weak in his life; he never allowed himself to be crushed by grief; and in the forty-five days that followed the death of his friend and master he never showed the least sign of mental derangement. So long as the body of the Emperor remained unburied, and so long as Nogi could render any service to his dead lord, he acted with perfect self-possession, calmness, and intelligence. When all was over, when there was nothing more to do, he ended his own life as an expression of his boundless devotion to the man whom he had loved. It was in the spirit of Old Japan, but Nogi was a man of that era, and lived in the mental and moral atmosphere of that time. In order to understand, dimly at least, the underlying principle of the act it is only necessary to imagine that the inherited beliefs and the social order of Old Japan which sanctioned and approved the death of Nogi in Tokyo were just as strong and just as compelling as were the inherited beliefs and the social order which sanctioned and approved the death of Straus, Millet, Astor, and Butt on the sloping decks of the sinking Titanic. It is not so much a difference in men as it is a difference in beliefs, traditions, ideals of conduct, and the social order. We may not approve the spirit of Old Japan, but by putting ourselves mentally in the places of the samurai of Old Japan we may at least understand it.

As for the suicide of the Countess Nogi, it is only a proof that the devotion of a Japanese wife to her husband is just as deep and strong as the devotion of an American wife to her husband. Mrs. Straus, on the Titanic, refused to leave Mr. Straus to die alone; and the Countess Nogi, in the modest little house in Akasaki, determined in the same spirit to share her husband's fate. Both women were faithful and devoted, and both had the strength and the courage that faithfulness and devotion give. The tombstone over the grave of the Nogis should bear the words from Bushido which describe their ideals—Loyalty, Duty, Faithfulness, Courage, Devotion, and Self-sacrifice.

THE LORD'S PRAYER

BY PRISCILLA LEONARD

Up to the mighty life of God on high
The soul that breathes this immemorial prayer
Is lifted, with its earliest words, to share
Wider horizons and an ampler sky,
To the Eternal Name and Will brought nigh,
Of the Eternal Kingdom child and heir;
And having caught man thus from daily care
To God—behold, God stoops to glorify
The life of man, that life of hard-won bread,
Of trespass and temptation day by day,
So far from peace, by sin beset so sore;—
O Son of Man and Son of God, who shed
Immortal hope upon the human way,
Thy prayer clasps earth to heaven forevermore!

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OUR POLICE DISEASE[1]

BY WILLIAM BROWN MELONEY

ONCE more New York City has set the Nation by nose and ears with a scandal of police corruption. This time its noisomeness has reached even beyond the seas. The cities of the Old World, no less than those of the New, are aghast at the revelations concerning blackmailing policemen and toll-paying crime which cable and telegraph have been carrying to them since July 16 last. The *exposé* is as much a part of the daily news of London and Paris as it is of San Francisco and Detroit. London rhymesters are not behind those of Chicago in making it the subject of pertinent and impertinent verse. Berlin and Los Angeles are cartooning it.

To foreigners the revealed coalition between crime and those vested with the authority of suppressing it is but one of the many startling phenomena of which they are accustomed to read in our American life and institutions. To us it has never been a phenomenon. It is, and has been, a problem these past fifty years, whose solution we have, with becoming hypocrisy, sporadically attempted. It is not the problem of New York City alone, but of every city above the third class in the United States.

It is more than a problem. It is a disease. It has been diagnosed times without number, most notably in New York City by the Lexow Committee of 1894, and by the Mazet Committee of 1899. Hardly a day passes without the news carrying evidence of its existence in one or more cities. Hardly a municipal election is held without this disease, in one phase or another, proving the source of a determining "moral" or immoral issue.

The latest manifestation of our police disease, or diseased police, was shot into the world's attention at two o'clock of the morning of July 16, 1912, when the Camorra of the Department of Police of the city of New York assassinated a State's witness who within a few hours was to have given to the public prosecutor proof in corroboration of charges of blackmail and official oppression which he had previously made.

This witness was a gambler named Herman Rosenthal. He was a product of New York's East Side, who began life as a newsboy. According to his own sworn statement, he, as a lad of seventeen, went weekly to a police station and paid $25 for the privilege of running a game without molestation. That was twenty years ago.

In November, 1911, Herman Rosenthal made the acquaintance of Charles Becker, a lieutenant of police, and then commander of the "Strong-Arm Squad," a police body accustomed to lawless acts and practices, which is supposed to deal with the suppression of gambling and disorderly houses and gangs. Oppression and not suppression is the record of this and all similar squads.

New Year's eve last found Rosenthal and his wife, Becker and his wife, who is a public school teacher, and a number of others at a dinner in the club of a fraternal order. This festive occasion seems to have served to seal a friendship, or at least an understanding, between gambler and police officer.

New York had been and was notoriously "wide open." By that it is to be understood that houses of ill fame and gaming were plying their trades successfully, and that crimes of trick, fraud, and device, designed to relieve bucolic strangers and muddle-brained natives of pocket-burning cash, were the order of the day. All of this notwithstanding apparently persistent "raiding"—dust always for the eyes of the gullible—which resulted in no corrective convictions.

Herman Rosenthal was ambitious to be a "big gambler"—one of the "uptown fellows" who may make a fortune in a night. He wished to be of the Tenderloin aristocracy. There are classes even in the underworld. Caste lines are drawn as rigidly there as they are in the *haut monde*.

March saw Herman Rosenthal established as the proprietor of a house in the gamblers' Golconda—New York's Tenderloin. His place was in a block in West Forty-fifth Street where, at that time, one couldn't throw a rock without breaking the window of a gaming den.

On April 15 Becker and his squad "raided" Rosenthal's house, during the proprietor's absence. Among those arrested was a boy, nephew of Rosenthal's wife. Thereafter a policeman was stationed on the premises

[1] See in connection with this article an editorial elsewhere in this issue.—THE EDITORS.

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night and day. This is a common and lawless form of police oppression. As the lessee and legal tenant, Rosenthal would have been within his rights to have employed any necessary force to have ejected these police invaders. But Rosenthal did not think of the law any more than his police oppressors thought of the law. The gambler saw all around him carrying on their games. He saw houses "raided" and resume "business" before the echo of the footsteps of the raiders died away. No policemen were stationed in them. By devious ways he sought to have the guards removed, but his place had been singled out as a mark. It was plain that forces were at work to drive him back to the East Side. Nobody wanted his "protection" money. The reason has not yet been demonstrated by evidence. But one should keep the fact in mind that Rosenthal was an alien in the Tenderloin. He was a competitor. He represented an invasion from the East Side. Protection money is paid by gamblers not only to insure freedom from police interference, but also as insurance against competition. The fewer the gambling-houses, the bigger the returns for those who control the traffic. Crime buys privilege just as "big business" buys it.

The arrest of Mrs. Rosenthal's nephew by Becker became an aggravating sore in the situation which confronted the gambler. Why will appear in a moment. Rosenthal went about the Tenderloin contending that it was unjust, illegal, a "frame-up;" that the boy had been neither player nor employee; that he had been simply visiting Mrs. Rosenthal when the raiders entered the house. Debt began to oppress Rosenthal. Cupidity and jealousy became the stokers of the fire which was blazing within him. Of that fire the mighty power of revenge was born. He would pull down the temple though it destroyed him. He had something to tell. He sought the Mayor's ear. He was turned away. He sought the ear of the Commissioner of Police. He was turned away. He sought legal advice. He was counseled to cause the arrest of the precinct police commanders responsible for stationing trespassers upon his premises. He made a complaint of oppression before a police magistrate. Warrants were denied him. Summonses were denied him. He sought the ear of the District Attorney, and at last won an official's attention.

Rosenthal in an affidavit told the prosecutor that he had opened a gambling-house in the Tenderloin by and with the connivance of Lieutenant Becker; that Becker's share of the proceeds was twenty per cent, that Becker had stationed his blackmail collector, "Jack" Rose, in the house as an overseer of the earnings; that Becker had told him shortly before the raid that their friendship had become known at police headquarters and that to save his position he must raid the Rosenthal house; that he told Becker to go ahead; that when he protested against the stationing of a patrolman on the premises following the raid, Becker told him he was helpless to do anything; that forces higher up were behind that oppression; that in order to salve the sting Becker canceled a loan of $1,500, which money he had advanced at the time of the opening of the house; that Becker was a grafter and that the District Attorney could easily substantiate this with the means of investigation at his command; that the prosecutor could establish, so far as the gambling-houses of the city were concerned, that there was a fixed scale of police toll (this is a National fact, with variance only in amount)—$500 to open a house for faro and roulette games and $300 a month to operate it, $500 to open a pool-room for afternoon play and $300 a month to operate, $50 to $250 a month (according to the proceeds) to operate a crap game, and $50 to $100 a month (according to the proceeds) to operate a poker club. In a few words Rosenthal painted Becker as without parallel in the long line of police wolves who had grown rich preying upon crime. The lieutenant's bank accounts would prove what he said. He asserted that he had learned of the amount of graft Becker was collecting from the lieutenant's own lips. He was willing to go before the Grand Jury and tell his story. He was willing to bring other witnesses to the fore to corroborate what he said.

There had been no secrecy about Rosenthal's moves. It was known that he had tried in vain to see the Mayor and the Commissioner of Police. The proceedings covering his application for summonses or warrants for the precinct police commanders had been public. He went forth from the District Attorney boasting that at last he had found somebody in authority who would listen to him. He told the newspapers about it. The issues of July 16 printed most of what he had told the prosecutor, and which I have here summarized. Rosenthal stayed up

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until two o'clock that morning to read what the papers had to say about him and his charges. But he did not stay up late enough to read their final editions. He had been murdered by the police Camorra.

The scene of Rosenthal's assassination was the entrance to the Hotel Metropole in West Forty-third Street, only a step from the busiest and most brilliantly lighted section of Broadway. It is in the heart of the Tenderloin. The hour chosen was one when the night life of that district is at its hectic height. The restaurants were crowded. The gaming-houses were pouring forth their patrons, denizens, and keepers. Newsboys were crying their wet, inky wares. It was so bright in front of the Metropole that men and women who bought papers paused to read. The sidewalks were rattling under a traffic of feet. That block of Forty-third Street is a park of night-hawk taxicabs. The curbs were lined with them. Of a sudden the taxis melted away. Somebody had passed a signal. It took but a few minutes to clear the street. Then a gray touring-car, its head pointed toward the east, drew up in front of the Metropole.

The State's witness, but in the eyes of the Camorra the "blab," the "snitch," the "informer," the "traitor," the "squealer," against whom the *omerta* had been pronounced, was in the Metropole's restaurant. He was reading the first fruit of his "squealing" in black headlines and columns of text. The District Attorney had announced publicly that he was convinced that Rosenthal had told some truth, and that subpœnas had been issued in furtherance of investigation. A chattel mortgage record of the $1,500 which the gambler said Becker had lent him had been found. A decoy of the Camorra entered the restaurant and told the State's witness that "a friend" outside wished to speak to him. He did not say that the "friend" was death. There was a fusillade of pistol shots as the Camorra's victim put foot on the sidewalk. A minute later the gray touring-car was speeding to the eastward away from a corpse which the night lights touched with strange hues. A policeman "off duty," who had been in the restaurant with an actress, and who had seen the "squealer" go forth to his doom, gave chase in a taxicab. He was accompanied by two others from the swarm of patrolmen and detectives in the neighborhood. They did not overtake the gray car nor ascertain its license number. A citizen who did observe the number was arrested when he gave it to the police.

It is not my purpose to record all that has happened since that hour. It will suffice to say that New York knows that it has not been due to Police Department activity that nine men stand indicted for the assassination in front of the Hotel Metropole. As I write seven are under arrest—Becker, who is charged with having plotted and procured the commission of the crime, two gangsters out of the four who fired the death shots, and four more underworld rats, of whom three have confessed that they hired the assassins. Of these three, "Jack" Rose has confessed to having been the collector of blackmail levied upon crime by the indicted lieutenant. He has confessed that he procured the assassins to do Becker's bidding. Up to date, August 23, the District Attorney has uncovered bank deposits in the name of Becker and his wife of a total of $50,000. There is a prospect of a total of $125,000. These deposits were made during ten months, coinciding with the period of Becker's unrestrained influence as commander of the "Strong-Arm Squad." The salary of a lieutenant of police of the city of New York is $2,250 a year. If Becker and his wife, even with her school-teacher's salary, had lived on air, they could not have saved this money from their incomes. Perhaps they may explain it. During the Lexow investigation an equally suspicious amount of wealth was discovered in the possession of "Aleck" Williams, an inspector.

"I made it speculating in town lots in Tokyo, Japan," was his answer to the prober's interrogation. "Where did you get it?"

Besides the nine accused murderers of Rosenthal two police subordinates of the lieutenant stand indicted for perjury and oppression. They are accused of having falsely procured the indictment of a notorious gang leader named Zelig, on a charge of carrying concealed weapons. Conviction under this indictment (it was a second offense) meant fourteen years' imprisonment. The State is in a position to charge that the weapon alleged by the two policeman to have been found on the person of the gangster was placed there by them after they had taken him into custody, and that the purpose of their act was the arrest and indictment—steps in a process which would make him amenable to the wishes of their

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superior, Becker. In the *argot* of the police and the underworld this is called a "frame-up."

Upon Zelig's arrest it was Rose and the other confessed agents of the lieutenant of police who obtained the gangster's admission to bail in the sum of $10,000, pending trial. Zelig has confessed that it was he who supplied the four assassins who rode to the Hotel Metropole in the gray touring-car. Rose and the accomplices indicted with him have confessed that they obeyed Becker because he threatened to "frame" them into Sing Sing Prison.

Whither the trail of corruption will lead no man can predict. Whether the investigators who follow it finally come to the lair of the "man higher up" depends upon how much more those already in the toils of the law tell in order to save themselves from the electric chair. It is certain there is a "man higher up." If there weren't, there couldn't be grafters lower down. This has been demonstrated again and again, just as it has been demonstrated that there is a police Camorra, and as it will be demonstrated again by the assassination of other Rosenthals or "squealers" unless we deal with the problem efficiently and constructively—unless we excise the cause of the disease.

Herman Rosenthal is not the first victim of the police Camorra in New York. There was McAuliffe, in 1902.

James McAuliffe complained that a house of ill fame had been set up next to his residence. It was a "protected" house. No attention was paid by the precinct police commanders to his complaint. He carried his complaint to police headquarters. The result was that Edward Glennon, who was wardman of the notorious chief Devery, and who had been protecting the house of ill fame, was dismissed from the Department of Police. McAuliffe was not a drinking man. Shortly afterward he left home one evening to visit a sister. He was arrested for "intoxication," and was taken to the West Forty-seventh Street police station. He left it as a corpse or in a dying condition. His dead body, bruised and beaten and skull fractured, was found the following morning in the street, a few blocks from the station. Nobody was brought to justice for that murder.

A few years ago a drunken Brooklyn policeman named Dillon, who grafted food supplies from the small shopkeepers on his beat, became enraged because some duck eggs which he had obtained by blackmail turned out bad. Frenzied with liquor, he entered the delicatessen store where he had obtained the eggs to "get even." Terrorized, the proprietor and his wife told their twelve-year-old boy to telephone to police headquarters for aid. Dillon shot and killed the boy. It was established by competent witnesses that when Dillon was placed under arrest his uniform was whole and unmarked. When he reached the police station where he was locked up, there was an ugly knife-slit in his coat. Dillon pleaded self-defense upon his trial. He claimed that he had been assaulted with a knife by the boy. He pointed to the cut in his coat as corroboration. The prosecutor was able to riddle this story and show that the coat had been cut by a policeman between the scene of the killing and the station-house. Dillon was convicted of manslaughter and sentenced to a seven-year term in Sing Sing.

So much for illustration of the Camorra's external exemplifications.

What remains to be revealed as a direct result of the Rosenthal assassination cannot be any blacker than what was dragged into the light by the Lexow and Mazet investigations, and during the meantime. The Lexow investigation lasted ten months. Thirty-one policemen were indicted and dismissed from the Police Department. Six were tried. Two were acquitted by juries. One went free as the result of a jury disagreement. Two were convicted. The Court of Appeals set aside the convictions and granted new trials. The indictments were then dismissed. One captain who was too stingy to employ counsel pleaded guilty. He consented to wear stripes in the penitentiary for thirty days. That was the harvest. Of the entire thirty-one dismissed from the Department, eighteen were restored to their positions by the courts. One of these, William W. McLaughlin, an inspector, after a vacation of three years was rewarded by the city with $25,000 for back pay and counsel fees. Bawds, brothels, saloons, gambling-houses, pickpockets, confidence men, and even steamship companies were shown by that inquiry to be sources of police blackmail. One inspector was shown to be the agent of a whisky house. This was "Aleck" Williams. Saloon proprietors had to buy his goods. Their alternative was to quit business.

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The Lexow investigation cost the State $188,000. Nothing constructive resulted. Five years later it cost the State $46,066 more to ascertain that the police Camorra was still in existence. The Mazet Committee sat from April to December of 1899. Two policemen were suspended from duty. There were no prosecutions. Nothing constructive resulted from this inquiry so far as the police were concerned. Thirteen years later, if evidence of unchanged conditions in the meantime were lacking, the Camorra is so bold that it dares to assassinate a State's witness in one of the most public places on earth.

Among the Mazet Committee's findings was this:

"The police laxity toward certain laws [meaning the sumptuary laws and laws aimed at the suppression of vice] inevitably results in laxness toward all criminal offenses."

In that sentence, lame as it is, a big nail is hit squarely on the head. By grace of the people's hypocrisy the police of the country are the interpreters of our laws and not the enforcers thereof. A system of government by men and not by law has reared itself. For fifty years we have been electing executives who, by grace of the same hypocrisy, have been permitted to encroach upon the judicial branch of our system of government. It does not matter what the laws on the books may be, it is what these executives, and through them the police, are given to understand their respective communities would wish them to be. It is forgotten that these laws are general; that they are expressive of the will of the people of a whole State, and not of any particular city or town. But these laws remain on the books and continue to be the screws by which grafting policemen may wring toll from the underworld. They are the means by which official blackmailers are enabled to retire with mysteriously acquired riches. If the laws be obnoxious, then the one way to get rid of them is to enforce them. Only the people who enacted them can repeal them.

Lawlessness begets lawlessness. This popularly permitted usurpation of power on the part of the police in the interpretation of the laws has begotten a power of autonomy among them. As Tacitus, in speaking of obedience, has put it: "They attend to their duties, but still, as preferring rather to discuss the commands of their rulers, than to obey them." It is but a fiction that our police are public servants. They are public masters. They are a law unto themselves. They rule themselves. It may be accepted as an axiom of American municipal politics that the boss who has the police with him is the boss who wins elections. And for these election services and others between times politicians expect to pay, and do pay, with the enactment of laws which the police desire. It is easier to impeach a Supreme Court justice than to oust a grafting policeman from his job.

Nowhere in the United States is there a police department so securely intrenched in the power of its own will as in the city of New York. Its numerical strength as a political factor is primarily responsible for this. Twenty-five thousand votes will determine any close election in the metropolis. There are 10,000 voters in New York's police department. Said a practical politician, discussing the police with me not long ago: "Give me the cops and an issue that will hold them together and I'll swing any election. It's a poor skate of a cop that can't swing three votes. There isn't a beat in New York without three or more 'good citizens' on it breaking some ordinance or law with the cop's connivance. There isn't a cheaper or easier way for them to buy the cop's blindness than by voting for the man or thing the cop wishes to see go through."

A semi-remedy for this has been in force now for several years—the designation of patrolmen to strange posts and districts on election day. But what the department can do, voting with all its strength, was demonstrated in 1905. That was the year William Randolph Hearst was a candidate for Mayor against George Brinton McClellan. Hearst won the police vote principally with a promise of a three-platoon system—an eight-hour-day working law. The result was such a close one that despite an exhaustive recount and the fact that the courts awarded the office to McClellan there are thousands upon thousands of honest, hard-headed New Yorkers who will never believe that Hearst was not elected. Tammany Hall was against Hearst that year.

I think I have made it sufficiently clear why the political bosses desire things to remain as they are. If I have failed, one has but to read the newspapers from day to day. The bosses prevented any constructive treatment of the disease following the Lexow investigation. They prevented treatment

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again after the Mazet probe. Lack of efficient leadership as well as hypocrisy on the reform side contributed on both occasions to the bosses' success. Unless strong leadership develops and the righteous indignation of the people is properly ordered, it is more than likely that politics will prevent this latest diagnosis of police disease to pass without remedial results.

What the New York police cannot obtain by political favor it does not hesitate to obtain by purchase. When it is necessary, it can maintain the wealthiest and most powerful lobby in the country, excepting that of the trusts. The department is a nest of internal organizations. They are called "benevolent" associations. They pay benefits for "death, resignation, or *dismissal*." Every rank from inspector down to doorman has its association. They thrive by virtue of a peculiar willingness on the part of the majority of policemen to pay through the nose. Naturally, shrewd men are the leaders of these organizations. You can always find them in positions of power in the department. They are the actual rulers of New York's police. With few exceptions, the long line of Commissioners have been led to believe that by coddling these association heads they could win the "good will" of the force. For the past fifty-five years New York has averaged a new Commissioner every seven and one-half months. This, of course, includes the periods when the rule was by board.

During the commissionership of General Theodore Bingham the Patrolmen's "Benevolent" Association sent out a call to its members for a "mortuary fund" of $150,000. Bingham had pending in the Legislature at the time certain bills by which he hoped to bring the force within control. It was boasted in Albany that the bills would never pass. Bingham heard of the "mortuary fund." He enlisted the aid of the District Attorney, and together they uncovered $74,000 in a safe-deposit box; $8,000 more was found wrapped in a dirty shirt in the home of the head of the association.

The officers of the organization denied that the fund was for legislative corruption. They said it was designed to increase the association's death benefit from $225 to $1,000. When they were asked why they had not put the money in bank, where it might draw interest, their answer was that this perhaps was due to a lack of business instinct. Bingham and the District Attorney broke into the association's secret meeting-place. They found a list of all contributors to the "mortuary fund," but there were no entries in the books of account, no records of receipts given to contributors. However, a document most illuminative of the "system" was brought to light. A patrolman named George Willett had refused to subscribe to the "mortuary fund." This report was made by the collector:

> This man, George Willett, who refused, I am told, has failed to make good for the salary bill, the defeat of the reorganization bill, or for any of the assessments that have been collected from time to time to enable your committee to secure better conditions. In spite of this he is always well taken care of by the superior officers of his precinct. He pleads poverty, but I am told that he has between $800 and $1,000 in bank. (Signed) MARTIN CAHILL.

The then Detective Sergeants' "Benevolent" Association (this rank has been abolished and the association has been merged with the lieutenants') gathered a fund of $20,000 the same year. Neither this sum nor what the patrolmen collected found its way to the State capital. Bingham's bills were passed. The Camorra still exists. Bingham was ousted from office by Mayor McClellan. The men whom Bingham tried to bring within control are still in power in the Police Department.

An instance of the willingness of policemen to be exploited is part of the current Camorra investigation. The Legislature in April last, at the instigation of the municipal administration, enacted a law increasing the salary of doormen (station-house keepers) from $1,000 to $1,400 a year and giving them the rank of patrolmen. The bill had the approval of Governor, Mayor, and Commissioner of Police. There was and is no human reason why any of the men benefited by that law should pay one cent to anybody for its adoption. Yet they are paying. I quote from a report of the Commissioner of Accounts:

"Officer Valentine Brandt testified that at Murphy's demand [Murphy is a former policeman now engaged in the practice of law] he signed a note for $400 payable to Murphy in monthly installments of $25 each. His first payment was made on July 2 [1912]. His receipt which he produced is signed 'William E. Murphy, per M. Johnson.' Brandt understood that the figure $400 was fixed by the amount of the increase in his

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annual salary. . . . The police seem to be obsessed with the idea that the passage of any measure beneficial to them cannot be accomplished without the payment of large sums of money. They thus become the easy victims of the unscrupulous."

There is a remarkable psychology involved in the policeman's apparent joy in being exploited. I can only pause to say, however, that the majority of policemen are potentially as honest as the rest of humanity.

Since the reorganization of New York's department of police in 1857 there have been eighty-three Commissioners. Since the reorganization of 1883 there have been thirty-three Commissioners and five Chiefs. Between 1883 and 1900, when the office of Chief was abolished, the five successive incumbents of that office were retired for cause. The last one, Devery, had to be *legislated* out of office. Of the Commissioners only seven have been permitted to serve the term for which they were appointed. One died in office. The rest died politically. Only one has ever successfully submitted himself to the votes of the people after holding the office. That is Theodore Roosevelt. No Commissioner has ever been permitted to occupy the official chair long enough to ascertain whether he has been coming or going. Is it to be wondered that the police are self-willed? Is it to be wondered that there are "benevolent" associations? Is it to be wondered that there is a police Camorra?

Still, if the Police Department has wrecked Commissioners, it has also wrecked the Mayors who have appointed them. Under New York's present system of government the Mayor has the power of appointment and removal. It is a strange fact that in the last analysis the people of the metropolis measure the success or failure of a municipal administration by the way it handles the Police Department. Certainly the existing system of appointment and removal of the Commissioner of Police is at an end of the demonstration of its inefficiency. The responsibility of selecting the leader of 10,000 men is undoubtedly too great to be given to an individual. Political ambition, personal opinion, or perhaps a vision that he may succeed where other men have failed—these are only too likely to be factors in determining the attitude of the appointing power. Then, too, there is the very human liability of mistaking public clamor for public opinion, or public opinion for public clamor.

But to change the system of appointment and removal is by itself no remedy. The police still would remain their own masters. They still would be the interpreters of the law. The temptation of their commander still would be to do what he believed to be in accord with the wishes of the populace of the city rather than to obey the will of the people of the whole State. Commissioners of Police have political ambitions. So far as the present statutes are concerned, they are more than sufficient to shut up every gambling and disorderly house in New York within twenty-four hours. The powers have come up out of the common law. If the police had been actuated by legal and honest motives, they would not have adopted the oppressive proceeding of stationing a patrolman in Herman Rosenthal's gambling-house. After obtaining the proof that the premises were used for gambling purposes, they could have proceeded against the owner of the property and caused him to evict Rosenthal; or they could have arrested him and prosecuted him criminally for leasing his property for such uses as Rosenthal had been making of it. Not only are the operators of gambling and disorderly houses liable under the law criminally, but so also are the owners or lessors thereof. It is buncombe for the police or any other officials to say that the law is inadequate. Nor would any lessor, in the face of his rent-rolls, be able to plead ignorance of the uses to which lessees had been putting his property. Crime and vice pay landlords for accommodations in the same ratio in which they purchase "protection" from the police.

While under the Constitution the metropolis, on account of its population, is, and will continue to be, the dog, and the State the tail that wags the dog, still the enforcement of the laws as they are written cannot help but be the remedy for their alleged obnoxiousness. Only by a rigid enforcement will it be possible to obtain an expression of enlightened public opinion on the subject. As a consequence, hypocrisy must fall and a readjustment of those laws in keeping with that opinion follow. Until such readjustment, however, enforcement of law is the only way by which we may hope to put an end to police corruption. Only a free police can enforce the laws—a police without fear of political vengeance or expectation of political favor. Law enforcement means primarily a regaining of the control of the police by the

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people, and to that end the police of the metropolis should be placed on an absolute military basis. It will be necessary as a matter of procedure to do likewise with the police of every city of the first and second class in the State. It is the cities which suffer from police corruption. It is the cities in which our laws for the suppression of vice and crime are employed as levies of police blackmail.

Americans like to shudder at the word "military." In the early history of the Nation it was a habit. Now it is an affectation. Call an organization by any other name and we will let it pass. The theory upon which all American police departments are organized is military. The system is military. But as it stands it is but a shell, for the kernel, discipline, has been stolen by crooked politicians and their ambitious tools.

In an editorial article in the New York "World" of August 18, 1912, I submitted this plan of reorganization of the metropolitan police:

"There are no legal barriers, which may not be breached, against legislating out of existence the entire police department as it stands. Simultaneously it should be re-enlisted as a unit for a three or five year period, with a continuing process of re-enlistment thereafter to be determined by the records and the fitness of individual members. There need be no vital disturbance of existing civil service and pension laws. The power of the Commissioner of Police should be made absolute. Examinations for promotion should be continued as at present instituted. Much is to be said in favor of divorcing the uniform rank from the detective branch of the force. Under a military system trials of departmental offenders would be by court martial, and with the power of punishing by dismissal and imprisonment as well as by fines. Trial by deputy should be abolished. The sole power of review should be in the Commissioner, and there should be no appeal from his decision. He should be absolutely independent of importunity from any source whatsoever. He should be in a position to make the men under him understand that they would rise or fall by merit or demerit alone, and not by the influence of a district leader, pothouse politician, or sentimental busybody.

"To insure stability of character and to command the class of men equipped by experience and skill to fill the position of Commissioner, the tenure of the office should be from ten to twelve years. The salary should be twice what it is at the present time. The power of appointment should be vested in the Board of Estimate and Apportionment. This body is elected by all the people. It comes nearer expressing the will of the whole people than any other body or individual under our present scheme of municipal government. The responsibility of selecting an official as important as a Police Commissioner and the commander of 10,000 men is too great to be given to the judgment of one man, even as the power of vesting the Commissioner's removal in one man is too great. There is always existent under this arrangement the temptation to accord with public clamor or personal whim or ambition or vision. We have had incompetent Police Commissioners and incompetent Mayors. By no means have all of our Commissioners been bad and all of our Mayors good. As the law stands now, no Commissioner can be free of will. Under any and all circumstances he, as a proposition of human nature, must be submissive to the will or the opinions of the appointing power. If he isn't, he must get out, and over his head always hangs the sword that dismissal attaints him from ever holding the office of Police Commissioner again, although it is to be doubted very much whether the Court of Appeals would agree with the Charter's weird provision of attainder. Still, this remains unsettled.

"Having vested the power of appointment in the Board of Estimate and Apportionment, its sole contract with the Police Commissioner should be the rigorous enforcement of all laws and ordinances, and a diligent maintenance of outward order and decency. Violation of that contract in any degree should be cause for removal upon the establishment of proper proof. The power of removal should be by petition originating either with the Mayor, a majority of the Board of Estimate and Apportionment, or the people themselves. This petition and its charges should be made answerable by the accused within not less than thirty days at a public hearing before a committee of not less than three judges of the Court of Appeals, the committee to be designated by the presiding judge. That is getting as far away from the realm of politics and political influence as it is possible to get until we change our method of selecting the judiciary. As to a petition originating with the people, it should be provided that it must

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be signed by not less than one hundred freeholders, who should be liable under a bond in the event that they present false or frivolous charges. Likewise the city could be made liable for damages on account of false or frivolous charges presented by either the Mayor or the majority of the Board of Estimate and Apportionment."

Since the submission of that plan I have heard this criticism: "Must courts martial displace civil justice?" I have in mind courts martial only so far as dealing with departmental offenses is concerned. The civil laws and the law courts of the State and the Nation are sufficient to deal with assassins or any other class of criminal offenders.

During seventeen years I have enjoyed exceptional opportunities of studying our police disease in all of the larger cities of the country. Out of that experience I have drawn this: Unassailed, police corruption is a marauding, insatiable monster. Attacked, it will slaver and fawn upon the hands which throttle it.

THE CONSERVATIVE LEADER IN ENGLAND[1]

BY H. HAMILTON FYFE

NEVER was there a leader of a great political party with fewer outward signs of leadership about him than Andrew Bonar Law.

When it was known that he had been chosen to succeed Mr. Balfour as general of the Conservative force in the House of Commons, even Englishmen asked themselves if they had caught the name aright. Foreign observers inquired bluntly, "Who is Bonar Law?" The choice amazed them.

Of course it was not a free choice. If the party could have voted by ballot for its new leader, Bonar Law might have received a few votes. The majority would have voted for Austen Chamberlain. Not far behind would have come Walter Long. But those who wanted Long would not have served willingly under Chamberlain. So, in order to avoid splitting the ranks, it was necessary to elect a man to whom nobody had any particular objection. That man was found in Bonar Law.

The situation created by Mr. Balfour's adroit acceptance of the Forward Conservatives' slogan, "B. M. G." (Balfour must go), showed the weakness of the party. He himself was only a nominal leader. For eight years, instead of being in the vanguard, he had walked behind the procession, doing all he could to check its progress. A friend of mine, candidate for a Parliamentary seat in the Midlands, went to talk over with Mr. Balfour the prospects in his constituency. This friend is a sincere and eager Protectionist or "Tariff Reformer," and he talked tariff reform. When he had done, Mr. Balfour passed a hand wearily over his forehead. "My dear fellow," he murmured, "you don't mean to say you believe all that!"

Mr. Balfour, however, in spite of his disbelief in everything, including himself and the chief plank in his party's platform, had two valuable qualities—prestige and personal charm. He is a distinguished man, and it was his distinction alone that kept the party together. Unfortunately, there was no distinguished man to take his place. Mr. Long is an amiable country gentleman, neither an "intellectual" nor an orator, nor indeed anything but an honest man. Mr. Austen Chamberlain would never have had any position in politics if he had not been son to the great "Joe." He speaks moderately well, but has no ideas. He could lead along a road well marked with sign-posts, but in unknown country he would not know which way to turn.

Now, Bonar Law is like these other two in that he lacks distinction, but he is unlike them in being a good speaker and in possessing an exceptional brain. He is a man who has got to the front by force of character. He was a convinced Protectionist (or "Fair Trader," as it was called then) long before "Joe" Chamberlain announced his dramatic conversion in 1903. There are many Conservatives, therefore, both inside and outside the House

[1] The increasingly critical political situation in Great Britain, and particularly the Ulster agitation against Home Rule in Ireland, of which we speak elsewhere in this issue, make this pen picture of the personality of the present Conservative leader of timely interest.—THE EDITORS.

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of Commons who welcome his leadership and believe that he will serve the party far more capably than either Mr. Long or Mr. Chamberlain could have done.

Let us see what there is in Bonar Law's record and character to support the hope that he may be the man to re-establish Conservatism in popular favor. First we will hear him speak in the House of Commons. He has been sitting, while others addressed the House, perfectly quiet, to all appearance little interested. Unless you had been told who he was, you would scarcely have noticed this spare figure with the pensive, wide-open, melancholy eyes. His brown hair, getting a little thin, is brushed in an orderly, ordinary way. His lean features are shaven save for a small mustache. He wears a decent black coat. He looks just a decent, ordinary man.

That is, in fact, exactly what he would be but for his one passion, his characteristically Scottish passion—the passion for argument. Now he rises. A light burns in those eyes, no longer pensive or melancholy. He begins to speak, rapidly yet distinctly, with an excellent choice of words. He has seized upon points made by earlier speakers, and he is arguing them with resolute conviction as well as dialectical skill.

He has made no notes. He carries all his material in his head. They say that since Lord Brougham died no one has ever been able to handle a complex argument so clearly and easily as Bonar Law. The pleasant voice, agreeably flavored by a slight Scottish accent, flows on without any of those painful pauses, those "er, er, er's" which usually punctuate an Englishman's speech. Once he does pause. He is flinging arithmetic at his opponents, a ceaseless Maxim gun discharge of statistics. Of some important figures he is not quite sure. He takes from his trousers pocket a little note-book, just a little three-cent note-book it looks like. He turns at once to the right page and reads out, in a tone quivering with triumph, the figures which he declares "destrroy the entirre Frree Trrade case."

Although he uses notes so seldom, he always seems to have concealed somewhere about him just the note he wants. His clothes must surely be made with an extra allowance of pockets, and every pocket holds emergency ammunition. Listen! Some statement of his is questioned. There are shouts of derision from the Liberal benches: "He never said it," "Query," "Quote." Bonar Law looks at the Liberal benches with a grim smile. Then he plunges into a pocket—always the right one. At sight of a slip of blue House of Commons Library paper the Liberal benches are silent. They know what is coming. "Speaking at Birmingham on September ten, nineteen hundred and five. . . ." Another point scored by Bonar Law.

His points are always argumentative, never rhetorical. He appeals to reason, to facts; not to emotions or imagination. He can be bitter in irony. He now and then turns a neat phrase of humor; but he never lifts a debate above the level of logic. He never makes anybody want to cheer.

A queer, dry figure, this Scotsman with the one passion—the passion for proving some one else to be wrong. Even at school he was always wanting to argue. His schoolmaster at Hamilton pronounced him a boy of great mental power, a serious boy, a boy anxious to do well (*i. e.*, to argue other people down). At Glasgow High School the commendation took a different form. His master here declared testily that "he had every kind of sense except common sense." Evidently he had argued his master down! What he was like at Richibucto Grammar School, New Brunswick, no record tells. Although he was only twelve when he left Canada, the land of his birth, for Scotland, the land of his fathers, he had no doubt begun to argue even before then.

As a young man in the Glasgow office of his uncle he argued steadily in the intervals of mastering the iron trade. He joined a Parliamentary debating society, which had Government and Opposition sides and observed all the forms of the House of Commons. Here, like W. S. Gilbert's Sir Macklin, "he argued high, he argued low, he also argued roundabout him." At the same time he "took lectures" at the university, and for wider self-improvement joined a literary discussion club. His seriousness and anxiety to do well drew upon him the notice of a merchant prosperous in the iron trade, who offered him a partnership. The result of this was that by 1900, when he was forty-two years old, he had saved enough money to be able to retire from business.

His idea was to devote his energies to politics. He soon won a seat in Parliament and started for London to argue himself into office. For a while he sat on

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back benches unnoticed. Reserved, he made few friends. Self-reliant, he bided his time. His first speech was dismissed by a Conservative newspaper as "dull," but Sir William Harcourt praised it, and the apparently unemotional Scot glowed with gratitude. Soon the House of Commons recognized that he was a man who, when he spoke, had always something to say. His leaders saw that he might be useful, and after only two years in Parliament he was invited to become a junior Minister. The Board of Trade, which concerns itself with matters of industry and commerce, required an Under Secretary. For four years he filled the post with discretion and industry. Then Mr. Balfour's Government went out and Bonar Law found himself one of the leaders of the Opposition.

He had risen with unusual rapidity. Tariff reform gave him his opportunity. He became logician-in-chief to the movement. Very few of its supporters could argue the case for Protection. Bonar Law could and did. The others took refuge in vagueness. He went into detail. He buttressed his arguments with solid figures and facts. He did not try to dazzle his hearers; he tried to make them think. This did not make him popular, for the people do not want to be made to think. They want to be stirred, entertained, hypnotized. They would far rather listen to Lloyd George's emotional abuse of dukes than to a reasoned proof of the necessity of reform. But the reasoned proof has more influence upon them in the long run.

In a play by Somerset Maugham one of the characters bids a young politician "remember that the British people like their leaders dull. Versatility they cannot bear, and wit they utterly abhor." That is true. Even Lloyd George's emotionalism, with its religious flavor, they have begun to distrust as too "sensational." But the duller Bonar Law's speeches were, the more readily was he labeled "serious" and "safe."

Those epithets sum him up. He belongs to the "industrious apprentice" type. He is a teetotaler; after his defeat in the election of 1906 he was discovered calmly sipping a glass of milk. A Presbyterian minister who "preached to him for a quarter of a century" gives him a handsome testimonial: "He was a devout, attentive, and appreciative hearer." He goes little into society. His wife died two years ago, and he felt her loss deeply. But even before that he was seldom seen at parties of any kind. He prefers his own home to the homes of other people; with a book he can be quite happy. His only amusements are chess and golf. To his children he is a friend as well as a father. When he took his place as Leader of the House, there was an Eton boy in the Strangers' Gallery, granted special leave for the occasion. That was young Bonar Law.

Now it is clear, I hope, why I began by saying that there were no outward signs of leadership about this safe, serious, respectable, argumentative Scot who has suddenly become a figure in world politics. Nor does it seem to me likely that he will ever really lead. The British people require of the man whom they will follow that he shall be in some respect a Superman. Leadership is a question of vitality; it demands an excess of life force. A leader must have strong personality. He must be able to influence a crowd by merely standing before them. They must be interested in him before he begins to speak.

Without Gladstone's prophetic dignity, Disraeli's Oriental fervor, "Joe" Chamberlain's businesslike enthusiasm, or Lloyd George's emotional ecstasy (which makes men shed tears at meetings and cry aloud, "Thank God for Lloyd George!")—without any picturesque quality whatever, how is Bonar Law to seize hold of the mass of people as these others have done and swing them in the direction he wants them to take? If success depended upon argument, he would be the most popular leader ever known. But argument has very little place in modern politics. For one voter whom you can convince by reasoning there are ninety-nine who must be appealed to in quite a different way. You must touch their imagination. You must impose your policy upon them by sheer force of will.

Such a leader will arise again among the British Conservatives. He will bring with him the ideas which are to mold the future. He will sweep away the tiresome network of machine-made tactics which cramps Conservative effort to-day. He will draw his following from all classes. He will build his platform upon broad principles, easily grasped. Such a leader the British people are waiting for. But they have not got him in Andrew Bonar Law.

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THE ISSUES OF THE CAMPAIGN

BY WILLIAM DE WITT HYDE

PRESIDENT OF BOWDOIN COLLEGE

CANDIDATES

SHALL we have for President a judge?
Or a scholar?
Or a prophet?

Shall we have for Vice-President a reactionary?
Or a moderate?
Or a reformer?

TERM OF OFFICE

Shall we have two terms, with the first a steam roller for the second?

Or, more fearful of evil than hopeful of good, a single term?

Or as many terms as the people's need of leadership demands?

THE TARIFF

Shall we have a tariff which forces the consumer to pay on whatever manufacturers see fit to produce the difference in cost of production here and abroad, approximated by a scientific tariff board: plus a reasonable profit determined by the manufacturers themselves?

Or a tariff reduced steadily downwards toward a system of just charges rather than Governmental patronage, beginning with the schedules which have most obviously been used to kill competition and keep prices here above prices of the same articles sold abroad?

Or shall we have a tariff recommended by a tariff commission with power to inquire into costs of production, conditions of labor and wages, and cost of protection to the consumer; administered with an eye to the workman's pay envelope as well as to the employer's pocket; and with the presumption in favor of the consuming public wherever cost to consumer exceeds benefit to the producing class?

CONTROL OF CORPORATIONS

Shall we have attempted restoration of competition by enforcement of existing and supplementary law; with possibly a trade commission of very limited authority, and voluntary incorporation under a Federal incorporation law?

Or shall we rely largely on State remedies for National evils, enforced by vigorous prosecutions under existing and supplementary Federal law; and valuation, supervision, and rate regulations of railways, express companies, telegraph and telephone lines by the Inter-State Commerce Commission; with prohibition from engaging in business which brings them into competition with their shippers and patrons, and from overissue of stocks and bonds?

Or shall we have National regulation of inter-State corporations by a strong Federal administrative commission, which shall maintain permanent active supervision to enforce complete publicity of such corporate transactions as are of public interest, and prevent unfair competition, false capitalization, special privileges, swindling prospectuses, with a view to security of investment and equality of opportunity for all; and, where necessary, regulatory control over the conditions that create or determine monopoly prices?

LABOR

Shall we regard the hard conditions of labor as mainly inevitable results of natural and moral causes: their substantial improvement by legislation a "Socialistic dream:" waiting for remedies to filter down through the employers' prosperity or work out through agencies and laws already provided?

Or shall we recognize that we are in a new age where life is hard and opportunity embarrassed because privilege and private advantage have interlaced their subtle threads throughout our present law: create a department of labor: provide employees' compensation: limit injunctions in labor disputes to cases in which they would be issued if no industrial dispute were involved; and uphold the right of wage-earners to organize to improve wages and conditions of labor?

Or shall the Government directly protect the worker from accident, occupational disease, child labor, and labor of women at night; provide minimum safety and health standards, a minimum wage for women, and a living wage in all industrial operations: one day of rest in seven for all workers and an eight-hour shift in continuous industries; all under the control of a Department of Labor with a seat in the Cabinet?

THE CONSTITUTION AND THE COURTS

Shall the Constitution and the courts and the self-imposed limitations they embody be left as they are; and the complete inde-

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pendence of judges be maintained: with simpler methods of removing derelict judges and reform of judicial procedure?

Or shall we have substantially the same things with a tendency toward States' rights in their interpretation?

Or shall there be easier and more expeditious methods of amending the Constitution; more effective National jurisdiction over those problems which have expanded beyond the reach of the individual States; restriction of courts so as to leave the people the ultimate authority on questions of social welfare; recall, after due deliberation and review by the United States Supreme Court, of decisions on certain Constitutional questions?

THE MACHINERY OF ELECTIONS

Shall we have the old system, modified by publicity of contributions and prohibition of contributions from corporations?

Or publicity before as well as after elections: prohibition of contributions beyond a reasonable maximum from individuals as well as from corporations: Presidential primaries and direct election of United States Senators?

Or strict limitation of campaign contributions and expenditures, with detailed publicity before and after primaries and elections; registration of lobbyists: publicity of committee hearings, and a record of all votes in committee; prohibition of Federal appointees from holding office or taking part in political conventions; direct election of United States Senators; direct primaries for nomination of State and National officers; Nation-wide preferential primaries for candidates for the Presidency: with the initiative, referendum, and recall as a last resort in rare and extreme cases where otherwise the people would be misrepresented; and equal suffrage for men and women?

Of course the platforms and speeches of candidates contain other topics—civil service, pensions, parcels post, navy, merchant marine, conservation, internal improvements, health, immigration, the Philippines, banking and currency reform: but on these points the promises of the parties are so nearly alike, or else so indefinite, as to present no clear-cut issues.

The election will turn on the candidates, the term of office, and the five great issues—the tariff, the control of corporations, labor, the Constitution and the courts, and the machinery of elections. In most general terms, the single issue is—whether we shall have mainly the old things in the old ways?

Or most of the old things and the few new things the old ways slowly and slightly changed permit?

Or several new things in the new ways that are necessary to secure them?

THE SPECTATOR

THERE are country hotels that are but transplanted bits of urbanity, if one may use the word without any suggestion of its derived meaning. There are other mere lodging-places that give life to the adage that there is no place like home. But the one from which the Spectator has just returned to his fairly normal life belongs to neither of these, or else he would not be putting pen to paper (alas that it is fingers to type-levers in these unromantic days!) to give some of the impressions that have been made upon him.

It was a most comfortable hostelry, with a proprietor of purest gold, a table that left no impression save satisfaction, and guests who were as pleasant as any reasonable man would expect of a gathering juxtaposed by the finger of fate and not by choice. Consequently it furnished a most interesting field for a study of what the average American crowd does when it has nothing to do.

There was no distinct and recognized point of attraction or reason for occupation. No lake offered boating in couples, no wonderful view thrust itself pre-eminently upon the attention; there was no social clique to throw apples of discord and incite strife as to the fairest or the most fashionable. The inmates had, for the most part, to depend upon themselves or upon one another for what distraction they desired. There was a tennis court, or an apology for one, and the scenery round about was sufficient to lure out the few adventurous amateurs of the brush and palette; but, excepting for these—a beggarly few—and a solitary mountain climber,

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the place was occupationless. So the Spectator gave himself up to his favorite avocation, and observed human nature to learn what it would do under the conditions.

Breakfast, of course, took its place in the routine, and the Spectator counted only free hours in his investigations. Soon, however, the long row of piazza chairs were eclipsed by the more or less fair occupants, and it needed only a glance along the serried row to see why the magazines for women give so many pages to fancy-work. Saxony wool, filoselle, Irish flax, tabourets, French knots, buttonhole stitch, Mexican drawn-work, anything that was known to be useless and thought to be pretty was allowable and kept in evidence. Whatever useful sewing was done in the vacation hours does not fall within the Spectator's province, since it remained invisible during the whole of his sojourn.

There were a few accidental men, but these had no occupation except such as is furnished by cigars and cigarettes, and by what the French students know as *blague* and our children call fooling—the empty, amusing, good-natured talk that comes from nothing and leads back to the home of its origin by a thousand devious routes. It was often bright and clever, but was no more profitable than blowing soap-bubbles. If at any time there was an approach to the serious, there never lacked the "comic relief" to render serious discussion impossible. If the Presidential question came up at all, it was in a quiet side talk of no more than a few moments' duration. This, with a little strolling about, or an occasional call at the village store, took up the time till the coming of the mail agitated the human mill-pond and destroyed what little cohesion had been developed.

After luncheon there was a tacit recognition that no one was going to do anything that was more attractive than playing cards, and the more shameless devotees made up their fours for auction bridge and betook themselves to the afternoon service. The virtuosos sought the music-room, and either rendered or interpreted or murdered the classics, as their taste and skill dictated. Since murder is easier than music, it was far more frequent and lasting. If the spirits of great composers haunt the earth, they will not be found within earshot of most summer hotels.

The Spectator wonders about the modern vacation. He is interested in its origin and evolution. Romans had their hot springs and their country houses, their Italian villas; but there seems to have been only a limited class that expected the change and respite now sought for all but the completely submerged. The modern vacation is a new thing, and one for which so much is claimed that the Spectator begs leave to express wonder at what so many do with it.

The afternoon drifts on to evening, and once dinner is out of the way all feel that any pretense of aught but recreation may be abandoned. Then the true tastes of the guests are allowed to have full sway. The bridge tables are in full swing: the poor piano is run under full steam, while belated children stamp, yell, and pursue one another, themselves often followed by here and there a sensitive mother who is no Bedlamite; a few couples dance, oftenest two girls or women in most incongruous pairs: and outside upon the piazzas the habitually discontented strive to complain of that which hitherto has escaped its meed of grumbling.

Is the Spectator cynical? He hopes not. But this devotion to the game of auction bridge excites suspicion. The Spectator occasionally takes a hand, and for a time enjoys the game. But he confesses that it does not seem worthy of the time and attention given to it. The question will arise and will not down, Is it not talk about bridge rather than bridge itself that makes the game so popular? And why should the few hours we can get out of a hard working-year be so largely devoted to a game that is, as each bridge-player will admit, played so very badly by most of those who attempt it?

The answer is the same as must be given to the question, Why are vacation hours spent so aimlessly? The solution is found in the fact that modern life has destroyed the ability to find relaxation in a change of occupation: most of us have capacity or interest in but a narrow round of activity, and, this coming to an end, we are stranded, bored and disappointed. Is it not true that there is a great dearth of reasonable occupation open to the seeker for rest and renewal? And does not the fault lie in his inability to do anything out of the regular round well enough to enjoy it?

The Spectator thinks that herein lies the explanation of the failure of the average vacation.

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THE NEW BOOKS

Miss Wealthy, Deputy Sheriff. By Elizabeth Neff. The Frederick A. Stokes Company, New York. $1.

This lively little book has the double merit of telling an exciting plot story about a mysterious bank robbery and of being a clever and amusing tale of character and humor.

"Charge It." By Irving Bacheller. Harper & Brothers, New York. $1.

This is a companion piece to Mr. Bacheller's well-known "Keeping Up with Lizzie." Here our old friend the Hon. Socrates Potter puts a spoke in the wheels of the extravagant young fellows who think they must keep up with Harry. There is a lot of human nature in the book, and it will make people think as well as amuse them.

Marie. By H. Rider Haggard. Longmans, Green & Co., New York. $1.35.

In his new story Mr. H. Rider Haggard returns to the time and scene of his earliest and most successful romances. One of his old characters, Allan Quatermain, again takes up the narrative after some clumsy introductory machinery which might well have been omitted. The story is centered about the famous and horrible massacre of General Retief and his party of Boers by the Zulu King Dingaan.

Red Cross Girl (The). By Richard Harding Davis. Charles Scribner's Sons, New York. $1.25.

A volume of short stories from the pen of Mr. Richard Harding Davis is always welcome, and this is no exception. Mr. Davis must be tired of having reviewers say that he has never equaled his first story, "Gallegher;" certainly, even if that be true, he has to his score an extremely large number of capital tales with novel situations, direct and forcible narratives, and quick action. The half-dozen or more stories here collected answer that description and will have a deserved popularity.

Prelude to Adventure (A). By Hugh Walpole. The Century Company, New York. $1.20.

A Cambridge undergraduate kills a classmate by a blow in sudden wrath. No one for a long time suspects his secret, and he struggles with amazing outward calm against his inward instinct that tells him he must in some way meet and face the debt he feels he owes to society and to his conscience. Here, as in his "The Gods and Mr. Perrin," Mr. Walpole is a searching psychologist and a writer of singular force and clarity. The book is somber, but it is powerful.

Where There's a Will. By Mary R. Rinehart. The Bobbs-Merrill Company, Indianapolis. $1.25.

A sanitarium on its last legs, two stranded members of a broken-down theater company, an American girl engaged to a real Prince, a newly married couple hidden in a hut in the woods, a bunch of rich dyspeptics compelled to take exercise and proper food by a tyrannical young man who runs the sanitarium in place of the real owner, whom he happens to resemble—these are a few of the queer ingredients which the author has mixed together in an immensely amusing farce of a novel. It is ingenious, surpriseful, and full of fun.

Lovers (The). By Eden Phillpotts. Rand, McNally & Co., Chicago. $1.30.

The hardships of American prisoners of the Revolution at the Dartmoor prison is a favorite topic of Mr. Phillpotts in short story and novel. The present romance has almost a superabundance of prison incident, not always quite probable—for instance, the complex rescue of the man who is hanged. The earlier part of the book is both thrilling and rich in character study and love interest.

Gate of Horn (The). By Beulah Marie Dix. Duffield & Co., New York. $1.30.

Mystical and hovering around the idea of reincarnation, this story is subtler than most of this author's tales, is stronger in literary art, but is too vague and dreamy to arouse the average novel reader to tense interest.

My Lady's Garter. By Jacques Futrell. Rand, McNally & Co., Chicago. $1.35.

A melancholy interest attaches to this story as the last from the pen of the brilliant concocter of plots who perished on the Titanic. It is a complicated and not very plausible tale of the crimes of a clever rascal, "The Hawk," and the title refers to the theft from the British Museum of one of the garters supposed to have been presented by royalty to the Countess of Salisbury after the incident which is alleged to have been the origin of the Order of the Garter.

Long Portage (The). By Harold Bindloss. The Frederick A. Stokes Company, New York. $1.25.

Mr. Bindloss again writes of the Northwest, this time with a somewhat elaborate plot story. One feels in all the novels from his pen a full knowledge of *locale* and people, and a true reflection of human endeavor against the obstacles of semi-primitive life, but his literary tread is heavy and his incidents are not always probable.

Courts, Criminals, and the Camorra. By Arthur Train. Charles Scribner's Sons, New York. $1.75.

Mr. Train utilizes his experiences as a New York Assistant District Attorney and as a careful and trained observer of the recent extraordinary Camorra trials at Viterbo to put in contrast American and Italian methods of criminal procedure. The fascination of all that has to do with the protection and prosecution of crime is universal, and such topics as those on "The Presumption of Innocence," "Why Do Men Kill?" and "Detectives Who Detect" make good

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reading. The book, like Mr. Francis Wellman's "The Art of Cross-Examination," unites professional acumen with popular treatment.

Man Farthest Down (The). By Booker T. Washington. Doubleday, Page & Co., New York. $1.50.

Many of the chapters in this volume first appeared in The Outlook. The author, in comparing the conditions of laboring people in Europe with those in America, and more especially the colored people here, is hopeful and cheerful as to American industrial life, and intensely sympathetic with those things in the life of European toilers which are oppressive and sorrowful. The book is the record of an immensely interested and fair-minded observer.

Famous Houses and Literary Shrines of London. By A. St. John Adcock. E. P. Dutton & Co., New York. $2.50.

There are still existing in London many houses of literary association—more than is generally supposed. Here, for instance, are some seventy sketches of houses which have direct connection with Dickens, Thackeray, Lamb, Carlyle, and other less famous men. To some extent also the book has to do with the literary associations of the London of the past. The text is written by Mr. A. St. John Adcock, who has made an intimate study of London's streets and houses and their history, while the fine drawings are furnished by Mr. Frederick Adcock.

American Occupation of the Philippines, 1898-1912 (The). By James H. Blount. G. P. Putnam's Sons, New York. $4.

From 1898 to 1901 the author was an officer of the United States Volunteers in the Philippines, and from 1901 to 1905 he was a United States District Judge in the Philippines. He ought, therefore, to know something about the Filipinos, and he does. As he spent a year in Cuba, he knows something about the Cubans too. His contrast of the two races is interesting. He says:

> The Filipinos can run a far better government than the Cubans. In 1898, when Admiral Dewey read in the papers that we were going to give Cuba independence, he wired home from Manila: "These people are far superior in their intelligence and more capable of self-government than the people of Cuba, and I am familiar with both races." After a year in Cuba, and nearly six in the Philippines, two as an officer of the army that subjugated the Filipinos and the remainder as a judge over them, I cordially concur in the opinion of Admiral Dewey, but with this addition, viz., that the people of those islands, whatever of conscious political unity they may have lacked in 1898, were welded into absolute oneness as a people by their original struggle for independence against us, and will remain forever so welded by their incurable aspirations for a national life of their own under a republic framed in imitation of ours. Furthermore, the one great difference between Cuba and the Philippines is that the latter country has no race cancer forever menacing its peace and sapping its self-reliance. The Philippine people are absolutely one people as to race, color, and previous condition.

As a history of the American occupation of the Philippine Islands from 1898 to 1912, and as a book of reference, the merit of Mr. Blount's volume is evident even to the casual reader. The work will be practically indispensable to the student of colonial politics.

Work of Wall Street (The). By Sereno S. Pratt. D. Appleton & Co., New York. $1.75.

Mr. Pratt's book, of which we have already spoken, has been enlarged and revised for the new edition which has become necessary. It is a valuable reference book in that it gives a full exposition of the methods of the money and stock markets. Its explanation of terms used is particularly full and satisfactory, and the arrangement of the volume is notable for its convenience and plainness.

General W. T. Sherman as College President. Collected and Edited by Walter L. Fleming. The Arthur H. Clark Company, Cleveland, Ohio. $5.

This is the awkward and not entirely descriptive title of a large volume prepared by Dr. Walter L. Fleming, of the Louisiana State University, where Sherman served as President during the two stirring years which preceded the Civil War. What makes the book of live value to-day is that it contains a large number of General Sherman's letters in which appear vividly and fearlessly his views and those of many prominent Southern men on the National problems which were just reaching their crisis. Sherman was by no means always correct or entirely fair in his judgments, but he was always vigorous and always honest, and these letters cast a brilliant light on conditions in the far South at the time.

Life and Letters of John Rickman. By Orlo Williams. Houghton Mifflin Company, Boston. $3.50.

This title conveys very little to most readers, but fortunately the publishers arouse curiosity and interest by placing on the title-page also the sentence, "Lamb's Friend the Census-Taker." Mr. Orlo Williams, who has prepared this book, was fortunate enough to get hold of a large body of correspondence between Rickman and Lamb, Southey, Coleridge, and others. Rickman, who was the originator of the census in England, and a famous statistician, was intimate with Lamb's circle, and references to him as a pleasant companion appear here and there in the literature of the time, but the existence of the letters now printed and edited was known to few persons. These letters have not a little of personal, literary, and political interest, and are therefore really worth preservation, although for the general reader a smaller volume and a less expensive reproduction of the correspondence might have proved desirable.

Boy (The): How to Help Him Succeed. By Nathaniel C. Fowler, Jr. Moffat, Yard & Co., New York. $1.25.

A practical man's practical suggestions about boys, good alike for father and son. The sentences are crisp, clear, and often epigrammatic. An original feature is the "Symposium of Success," which includes the replies of 319 "men of mark" to twenty-five questions upon success-making.

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LETTERS TO THE OUTLOOK

JAPANESE MORALS

I object decidedly to Mr. George Kennan's reckless misrepresentation of my opinion of Japanese morals in The Outlook for August 31 (pages 1011 and 1014). He uses the time-worn method of isolating a sentence from its context, and thus makes me out a Japanophobe. Writing in "Young Japan" (whose title Mr. Kennan misquotes), I said of Japanese morals:

> In a previous section of this book attention was directed to five noble qualities of Japanese character: bravery, loyalty, alertness, thoroughness, and self-control. To the superficial, this might seem to be a sufficient moral equipment for any nation. But a little thought convinces otherwise. What is bravery worth without purity? What value has loyalty without honesty? The intellect must not *only* be alert and thorough, *but* it must also be sincere. The will must learn not only self-control, it must also learn self-reverence. The two cancers at the core of the Japanese character are deep-set dishonesty and abandoned impurity; either would be sufficient to wreck the life of any nation.
>
> Let it not be said that this is the prejudiced opinion of an unsympathetic outsider. A Japanese journalist recently confessed that "our countrymen have earned an unenviable reputation of being the most untrustworthy people on earth," and admitted that they had earned it justly. As for the other, Japan is the only civilized government that deals in licensed prostitution as a source of revenue, and tolerates the sale of young girls by their parents under guise of a regard for "filial piety."

Mr. Kennan himself gives the correct explanation of the commercial dishonesty of large masses of the Japanese; but the correct explanation of a cause does not annul its effect. Happily, conditions are being rapidly bettered, and no one rejoices in this more than I do. But the plausible arguments of Mr. Kennan regarding the social evil are quite beside the mark with those who have had adequate opportunities for a clear understanding of the unique Japanese treatment of this subject.

I am not a Japanophobe, but neither am I a Japanophile. Nevertheless, I devoted vastly more space in my books to the virtues of the Japanese than to their vices. And I felt so strongly their charm that I said in "Japan To-Day" what I would like to repeat here: "No friends could have been gentler, more considerate, more helpful, than those dusky pagan Southerners, under whose silken vests beat the hearts of as chivalrous gentlemen as ever brake lance in a tourney. Saladin was a pagan. And when I think of those Japanese gentlemen and their gentle deeds in the days when they were true 'friends in need,' I feel like erasing from these pages every sentence which is not a compliment, every criticism that is not a tribute; while their beautiful word of parting has for me an added new meaning: *Sayōnara—If it must be so.*"

JAMES A. B. SCHERER.

Throop Polytechnic Institute,
Pasadena, California.

I should be quite ready to apologize to Mr. Scherer for misquotation or injustice, but I cannot see that, in this case, I have been guilty of either. He admits the accuracy of my quotation, but accuses me of misrepresenting his general attitude toward the Japanese by citing a single sentence, without its context. The context, however, does not modify the assertion. When Mr. A. declares that Mr. B. is a liar and a profligate, and that lying and profligacy will wreck his life, the accusation is not softened or modified by a contextual admission that Mr. B., nevertheless, is brave, loyal, alert, thorough, and self-controlled. If I had been reviewing Mr. Scherer's book, or describing his general attitude toward the Japanese, it would have been misleading and unfair to use a single sentence as the basis for a sweeping generalization. I was dealing, however, not with Mr. Scherer's book, nor with his general estimate of the Japanese people, but with the specific assertion, which he now repeats, that "the two cancers at the core of Japanese character are deep-set dishonesty and abandoned impurity; either would be sufficient to wreck the life of any nation." The first clause of this statement I quoted as an illustration of what seemed to me a general tendency to exaggerate certain Japanese vices that are particularly obnoxious in the West, and to make dogmatic and sweeping assertions upon an insecure foundation of facts. At this particular time, when a general effort is being made to lessen the frequency of wars, it seems to me extremely desirable that racial prejudice and international misunderstanding should not be increased by exaggeration of racial or national defects, and especially by inadequately supported assertions that whole peoples are brave, loyal, alert, thorough, and self-controlled, but are, nevertheless, cancerous with deep-set dishonesty and abandoned impurity.

GEORGE KENNAN.

Baddeck, C. B., Nova Scotia.

THE DANGER OF UNTRAINED AFFECTION

In a recent issue of The Outlook appears a story entitled "The Deserter," a cleverly written bit of human interest fiction, but with what appears to me an unfortunate moral. The writer seeks to show that in a difficult situation a warm-hearted woman with a display of affection and sympathy successfully handled conditions that were beyond the power of a trained charities worker to remedy. It will be remembered that in this story the breadwinner, thrown out of employment, is unable to endure the sight of his suffering family, and, believing that his presence is a barrier against relief for his dear ones, schemes to get himself out of the way. Every social worker knows that this is not an unusual case. The heroine in "The Deserter" is touched by the man's apparent devotion to his family; shares his belief that it would be better

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for him to betake himself off, and so provides the means of subsistence for his family. She winks at his desertion as something perhaps to be deplored, but yet as a rather clever thing to do.

The organized charities worker is caricatured as a cold-blooded female, armed with note-book and pencil, devoid of feeling, lacking in insight, and making foolish investigations. The issue is joined between this human iceberg on the one hand, and the man and his family in league with Lady Bountiful on the other, and the writer of the story thinks that the situation was gloriously met when the charities worker was ignominiously put to rout.

Stories of this character hurt and irritate the trained workers in the social field, who have made these problems a life study, and they serve to increase the prejudice that already exists against the work of organized charity. There is a widespread feeling that untrained affection gets better results than do skill and method in the work of social rehabilitation.

Now, a little reflection will show that the impulsive settlement worker by her meddling, as described in the story, defeated the best interests of society. She confesses to making paupers of a wife and babies. She takes the mother from home, where she properly belongs, to become a wage-earner. She suffered the man to be relieved of the strain of caring for his family—a dangerous moral experiment under the best circumstances, while our hero has a weakness for drink. If you go through the lodging-houses of the Bowery in New York City, or South Clark Street, Chicago, you will find men like this by the scores of thousands. She sets a precedent for other men in the community, which they will not be slow to avail themselves of, secure in the belief that society will care for their families. As a matter of fact, Lady Bountiful has set much mischief afoot.

Now the skilled worker would quite properly have held that man: would have found employment for him, if he could not find it unaided, and in the meantime would not have suffered any hungry mouths to go unfilled. He would have kept that family together, a self-supporting social unit. He would have canvassed all possible resources of that home, such as kinfolks, friends, church, or lodge, for that was the only purpose of the much-resented investigation.

The prejudice against the trained worker in the field of philanthropy is based on the notion that skillful investigation precludes the free play of natural affection and sympathy. The organized charities worker resents this feeling, for none knows better than he that "though I bestow all my goods to feed the poor, and have not love, it profiteth me nothing." The social game has no attractions for a loveless character, and the affection of those needing help is the biggest asset in the work. As Frederick Almy, the dean of American charities workers, has well said, "Organized Charity is Organized Love."

It is a pretty safe rule to keep hands off when it is known that organized charity is caring for a case. And when one desires the close human touch of himself caring for the needy, he can do no better than to seek the advice and help of people who understand that business and who would be glad of his help. Philanthropy is one of many fields where the amateur and the meddler can do an appalling amount of damage. JAMES J. COALE.

Lackawanna, New York.

THE IMPORTANCE OF ONE VOTE

In this year of our Lord 1912, when we have three university graduates as candidates for the highest office in the gift of the American people, who knows but that the value of a single vote may prove to be as great a factor in deciding the momentous question as to which one shall take the oath of office March 4, 1913, as has ever been the case in the history of our country? But in order that we may not be led to underestimate the value of one vote, let us recall a case in point, and one that actually occurred, in the State of Indiana between 1840 and 1850.

In De Kalb County, Indiana, when the election day arrived, there was a man who was in doubt whether to go to the mill or to the polls. Finally, after a certain amount of coaxing, he decided that he would exercise his right of franchise and vote. He voted the Democratic ticket, and a Democratic member of the Legislature was elected from his district by a majority of only one vote. That Legislature elected a United States Senator, and by the vote of the one member from that district Mr. Hannegan was chosen.

Mr. Hannegan took his seat in the Senate, and was president of the Senate *pro tem.* when the vote was taken for the annexation of Texas. On the floor the vote was a tie, and Mr. Hannegan's casting vote decided the question in favor of annexation; and this action brought on the Mexican War, which has so shaped the subsequent history of our country.

This illustration certainly brings before us an extreme case, but who knows when another instance may occur proving the same value of one vote? W. H. VAIL.

PERHAPS BOTH SAID IT

In The Outlook of September 7, 1912, page 14, under caption "The Uses of Repartee," you make Horace Greeley say, "The way to resume is to resume," when it was the Hon. Salmon P. Chase in a letter who said (not Greeley), "The way to resumption is to resume." The above quotation is often attributed to Greeley, which is wrong. FRANK D. REESE.

Cortland, New York.

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BY THE WAY

Only one officer who saw service in the Civil War is, it is announced, left on the active list of the United States army—Colonel John L. Clem, of the Quartermaster's Department. Readers whose memory goes back to war times will remember him as "Johnny Clem, the drummer boy," who became famous for refusing to surrender at Chickamauga. He killed the Confederate colonel who tried to capture him, and after the battle was made a sergeant, though only twelve years old.

Archery is showing signs of revival as a sport. The National Archery Association at its tournament a few weeks ago in Boston had the largest attendance it has had for many years. Several American archers are said to hold records that have not for fifty years been equaled in England, the original home of the sport.

A schooner nearly a hundred years old, the Hiram, built in Biddeford, Maine, in 1819, is to make the voyage around Cape Horn to San Francisco for the Panama-Pacific Exposition. With one exception, this is the oldest vessel of American registry now afloat. She has been in active service ever since she was launched.

"Sometimes six policemen found it impossible to overcome one man. . . . The fight wrecked nearly all the seats." This is not a description of a bar-room row or of an outbreak in a madhouse, but a report of the proceedings at the recent opening of the Hungarian Parliament in Budapest. In America tickets are sold to such affairs at large prices, but the debaters wear gloves, and they stop their argument promptly when the police appear on the scene.

That the United States Government can sometimes indulge itself in an act of genuine philanthropy is seen in the recent post-office order that periodicals issued in raised letters for the blind are to be carried through the mails free.

Carrara marble, which since the days of the Romans has been regarded as the choicest material for the sculptor, retains undiminished popularity; last year the quarrymen were unable to supply the demand for first-quality blocks. Readers of Benvenuto Cellini's Autobiography will recall his quarrel with the sculptor Bandinello over a "magnificent block" of this marble, which Cellini thought should have been reserved for his friend Michelangelo.

Purdue University, Indiana, we are informed, has had for two years or more a chair of automobile engineering. Thus the University of Southern California is not the first to recognize the importance of such study.

Sir George Reid, High Commissioner for Australia in London, in a recent interview says that Australia is the ideal country for workingmen. "The climate," he says, "is perfect, wages are high, every workman gets a pension from the State, and"—this for the workingwoman—"the Government now proposes a maternity allowance of $25." And yet with all these blessings Australia has a population smaller than that of New York City!

Housekeeping with denatured alcohol is advocated by a contemporary. It is claimed that for cooking it is cheaper and better than coal at present prices, and that much of the labor involved in caring for oil lamps is saved when alcohol is used as an illuminant. An alcohol radiator may also be used satisfactorily for heating rooms in spring and fall.

A reader thinks it unfair to attribute the freight car shortage to unscientific management on the part of the railways. The shortage, he thinks, is due to the hostile attitude of the public and the labor unions, which has made capital timid and caused the railways to hesitate about future expenditures. But does not really scientific management involve the adoption of conciliatory methods in dealing with the public and the unions, thus preventing any antagonism that would hinder improvements? Amicable relations with patrons and employees are surely part of the science of railroading.

"Insurgent architecture" is the subject of an article in "Country Life in America" which describes the work of some young Western architects. The insurgent architect holds the theory that "a long, low, spreading house expresses the spirit of the prairie," and the attractive pictures of his domestic buildings almost convert one to the theory. Strange to say, most of these insurgent house-planners are located in Chicago, which first developed the "sky-scraper," whose ideal is just the reverse of the "prairie" type.

A certain variety of duck, called the Indian Runner, will produce more eggs than a Leghorn hen, according to a writer in the "Country Gentleman," and the young ducklings grow four times as fast as chickens. Here would seem to be reasons for going into duck-farming—if it were not for the widespread prejudice in favor of the hen and her product.

The uncertain luck of the professional fisherman is seen in the fact that this season has been considered a very poor one for mackerel fishing, many vessels not paying expenses—but just recently, near the close of the season, a record catch was made. Fourteen vessels arrived at Boston in one day with 352,400 fresh mackerel and 1,068 barrels of salt mackerel aboard. The largest of these fish was twenty-five inches long and weighed seven and a half pounds.

The story is told of the late Jules Massenet, the composer, that a bumptious young musician of his acquaintance one day brought him the score of an opera and said: "You know that Molière, when he had finished a play, read it to an old woman, being convinced that what she liked would please the public also. Similarly, I wish to play my score to you; what you approve will entertain others." "You are very kind," replied Massenet, "but as long as you are not Molière you will permit me not to be your old woman."

Pantheism, according to a recently published book on "Mysticism and Magic in Turkey," has had its following even among Mohammedans. The author quotes Bayazid Bestemi, a mystic of the ninth century, as uttering this sentiment: "When men imagine that they are adoring Allah, it is Allah who adores Himself." This seems a bolder rhetorical conception even than is contained in Emerson's "Brahma"—

> "I am the doubter and the doubt,
> And I the hymn the Brahmin sings."

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